



Journal of the Senate

Number 12

Thursday, April 11, 1991

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—38:

Madam President	Dudley	Kirkpatrick	Souto
Bankhead	Forman	Kiser	Thomas
Beard	Gardner	Kurth	Thurman
Bruner	Girardeau	Langley	Walker
Casas	Gordon	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	
Diaz-Balart	Johnson	Scott	

Excused: Senators Brown and Dantzer

PRAYER

The following prayer was offered by the Rev. William (Bill) Wynn, Pastor, Brandon Assembly of God, Brandon:

Almighty God, we approach your throne with a keen awareness of our unworthiness, and at the same time, with the knowledge that you have extended an open hand to us when we need your help.

We recognize that in ourselves we are very limited, but with the wisdom that you provide, we can be useful instruments in shaping our world and in blessing those around us.

We come today, not to beg of you as an austere potentate, but to ask of you as our loving Father, to give us understanding of the problems and needs of our communities and state, as well as our nation. Help us ascertain what your will is, and how we may best carry out your plan for our lives and for those whom we serve.

Help these men and women, who have been elected by their fellow citizens, as they face tough and controversial issues, to make choices that will be in the best interest of all the citizens of the great state of Florida. May each member of this body acknowledge your infinite wisdom and rely on you for wisdom and guidance.

May this day be a memorable day—a day which we can all look back on with a sense of pride and accomplishment. As the day closes may we all humbly acknowledge your guiding hand and may we each be able to stand before you with good conscience, knowing that we have done our best to serve our fellow man in fairness and unselfishness.

These things we ask in your name. Amen.

CONSIDERATION OF RESOLUTION

On motion by Senator Walker, by two-thirds vote **SR 2408** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Walker—

SR 2408—A resolution honoring the Lady Seminoles, the women's basketball team of Florida State University.

WHEREAS, the Lady Seminoles are the top shooting team in the nation, having four starters who shoot more than 51 percent of their field goals, and

WHEREAS, the Lady Seminoles have posted a remarkable 24 and 6 record, tying their best season, and

WHEREAS, the Lady Seminoles had a ten-game winning streak, tying the school record, and

WHEREAS, the Lady Seminoles played one of the nation's toughest schedules, playing nine of the Associated Press top twenty-five teams, and

WHEREAS, the Lady Seminoles ranked twenty-fifth in the nation on January 21, 1991, and

WHEREAS, the Lady Seminoles won the State Championship for the second consecutive year, defeating all four opponents from the Sunshine State, and

WHEREAS, the Lady Seminoles broke a school record for points in a game, scoring 114 points against Stetson, and

WHEREAS, as a result of the Lady Seminoles' outstanding season, Coach Marynell Meadors became the fourth winningest active coach among Division I coaches, and

WHEREAS, the Lady Seminoles won the Metro Conference Tournament, earning an automatic bid to the National Collegiate Athletic Association Tournament, and

WHEREAS, the Lady Seminoles earned the Metro Conference's co-championship with a 12 and 2 record, and

WHEREAS, Coach Marynell Meadors was named Metro Conference Coach of the Year for the second consecutive year, and

WHEREAS, Wanda Burns was named Metro Conference Player of the Year and Most Valuable Player in the Metro Conference Tournament, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this legislative body does pause in its deliberations to recognize the outstanding success of the Florida State University's women's basketball team, the Lady Seminoles.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Lady Seminoles and to their coach, Marynell Meadors, as a tangible token of the recognition and esteem of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

Senator Walker introduced Marynell Meadors, Head Coach of the Lady Seminoles Basketball Team; Robin Markey, Assistant Coach; and Wanda Burns, Metro Conference Player of the Year and Most Valuable Player in Conference Tournament, who were seated in the chamber.

Upon request of the President, Senators Thomas and Walker escorted Ms. Meadors, Ms. Markey and Ms. Burns to the rostrum where they were presented a copy of the resolution.

MATTERS ON RECONSIDERATION

The motion by Senator Crotty that the Senate reconsider the vote by which—

CS for SB 598—A bill to be entitled An act relating to amateur radio communication; creating ss. 125.0185, 166.0435, F.S.; prohibiting counties and municipalities from enacting or enforcing restrictive ordinances governing amateur radio antennas; providing for construction of such antennas in conformance with federal requirements; providing for the application of the act; providing an effective date.

—passed April 9 was taken up and the motion was adopted.

On motions by Senator Crotty, by two-thirds vote—

CS for HB 203—A bill to be entitled An act relating to radio communication; creating ss. 125.0185 and 166.0435, F.S.; prohibiting counties and municipalities from enacting or enforcing restrictive ordinances governing amateur radio antennas; providing for construction of such antennas in conformance with federal requirements; providing for the application of the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 598** and by two-thirds vote read the second time by title. On motion by Senator Crotty, by two-thirds vote **CS for HB 203** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31 Nays—None

LOCAL BILLS

SB 738—A bill to be entitled An act relating to Palm Beach County; amending chapter 75-473, Laws of Florida, as amended; revising membership requirements for the Solid Waste Authority; providing an effective date.

—was read the second time by title. On motion by Senator Weinstock, by two-thirds vote **SB 738** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 894—A bill to be entitled An act relating to Escambia County; amending s. 7.1, ch. 83-405, Laws of Florida; providing that the Escambia County Civil Service System is applicable to employees of the Escambia County Utilities Authority; relettering paragraphs; amending s. 7.2, ch. 83-405, Laws of Florida; revising a cross-reference to conform; amending s. 9, ch. 81-376, Laws of Florida, as amended; providing that employees of the authority are subject to the civil service system; providing that current employees of the authority shall not be affected as a result; providing for an interlocal agreement under which the authority will pay its proportionate share of civil service system costs; providing an effective date.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **SB 894** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1048—A bill to be entitled An act relating to the Immokalee Fire Control District, Collier County; amending section 1 of chapter 30666, Laws of Florida, 1955, as amended; expanding the boundaries of the district; providing for a referendum.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **SB 1048** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1050—A bill to be entitled An act relating to Big Corkscrew Island Fire Control and Rescue District, Collier County; amending s. 1, ch. 77-535, Laws of Florida; extending the boundaries of the district; providing for referendums.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **SB 1050** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Jennings—

HB 1255—A bill to be entitled An act relating to Seminole County; repealing chapters 74-612 and 81-493, Laws of Florida, relating to the Seminole County Comprehensive Planning Act of 1974; providing a savings clause; providing an effective date.

—a companion measure, was substituted for **SB 1090** and read the second time by title. On motion by Senator Jennings, by two-thirds vote **HB 1255** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1092—A bill to be entitled An act relating to Santa Rosa Island; amending ss. 7.17, 7.55, F.S.; redefining the boundaries of Escambia and Santa Rosa Counties; providing that Navarre Beach shall be included in the boundary of Santa Rosa County; providing for Santa Rosa County to assume a portion of the liabilities of Escambia County; providing for the Santa Rosa County School District to educate certain children living in that portion of Santa Rosa Island in Escambia County; prohibiting the construction of a navigable waterway or channel on certain parts of Santa Rosa Island without approval of the county commissioners of both Escambia County and Santa Rosa County; prescribing requirements with respect to the density level on that portion of Santa Rosa Island leased by Escambia County to Santa Rosa County; providing a severability section; providing the current coastal construction line on that portion of Santa Rosa Island leased to Santa Rosa County remains in full force and effect; providing all current licenses issued by the state for establishments located on that portion of Santa Rosa Island leased to Santa Rosa County shall remain in full force and effect; providing an effective date.

—was read the second time by title.

Senator Childers moved **Amendments 1 and 2** which were adopted.

On motion by Senator Thomas, by two-thirds vote **SB 1092** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—1

SB 1094—A bill to be entitled An act relating to Indian River Mosquito Control District; amending chapter 24600, Laws of Florida, as amended; establishing new boundaries; increasing the amount with respect to which the board of commissioners may purchase goods and services without bids under certain conditions; providing for a referendum; providing an effective date.

—was read the second time by title.

Senator Kurth moved **Amendment 1** which was adopted.

On motion by Senator Kurth, by two-thirds vote **SB 1094** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1166—A bill to be entitled An act relating to the Pinellas Suncoast Transit Authority; amending ss. 3(5), 8, ch. 70-907, Laws of Florida, as amended; providing additional powers to the executive director, and revising the powers of the authority, with respect to employees; revising qualifications of electors entitled to vote on a millage limit for the transit area; repealing s. 1 of ch. 90-449, Laws of Florida; abrogating the future review and repeal of provisions relating to the authority; providing an effective date.

—was read the second time by title. On motion by Senator Malchon, by two-thirds vote **SB 1166** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Malchon, the rules were waived and **SB 1166** was ordered immediately certified to the House.

SB 1274—A bill to be entitled An act relating to the North Brevard County Hospital District; amending chapter 28924, Laws of Florida, 1953, as amended; authorizing the hospital board to establish, own, or participate in health maintenance organizations and other health-care-related activities; authorizing the hospital board to establish, operate, support, and fund a not-for-profit support corporation to further the purposes of the hospital district; specifying certain conditions and limitations on the expenditure of funds by the hospital board and on its exercise of authority; providing an effective date.

—was read the second time by title.

Senator Gardner moved **Amendment 1** which was adopted.

On motion by Senator Gardner, by two-thirds vote **SB 1274** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1344—A bill to be entitled An act relating to the real property conveyed to United Way of Palm Beach County, Inc., pursuant to chapter 82-247, Laws of Florida, as amended; authorizing the sale of the described real property; providing a certain use for the proceeds of the sale of the real property; directing the release of all restrictions and reverts on the real property; authorizing the United Way of Palm Beach County, Inc., or its designee United Way Rotunda Foundation, Inc., to undertake improvements to the real property at its sole expense; directing the Board of Trustees of the Internal Improvement Trust Fund to execute certain title documents; directing the Board of Trustees of the Internal Improvement Trust Fund to execute title documents required by this act as soon as practical; providing an effective date.

—was read the second time by title. On motion by Senator Weinstock, by two-thirds vote **SB 1344** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1380—A bill to be entitled An act relating to the Water Control District of South Brevard, Brevard County; amending chapter 86-418, Laws of Florida; providing for a change of boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Kurth, by two-thirds vote **SB 1380** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Kirkpatrick—

HB 1521—A bill to be entitled An act relating to Alachua County; repealing chapter 63-1097, Laws of Florida, relating to peddlers' and solicitors' licenses; providing an effective date.

—a companion measure, was substituted for **SB 1516** and read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote **HB 1521** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1710—A bill to be entitled An act relating to Brevard County; enacting the Brevard County Comprehensive Stormwater Management Act; establishing a comprehensive stormwater management system within the territorial boundaries of the county including both incorporated lands and unincorporated lands; providing definitions; providing legislative policy; authorizing the county to create, acquire, construct, operate, and maintain a comprehensive stormwater management system; providing powers and duties relating thereto; authorizing the county to compel persons and political subdivisions to use such system; authorizing the governing body of the county to adopt stormwater management fees for the use of the comprehensive stormwater management system; requiring an annual audit of such system; providing for collection of certain delinquent charges and attorney's fees; authorizing the county to contract with certain persons and governmental entities in certain circumstances; authorizing emergency facilities and services by a political subdivision in certain circumstances; requiring a comprehensive stormwater management system to conform to certain standards; providing severability; providing an effective date.

—was read the second time by title.

Senator Gardner moved **Amendments 1 and 2** which were adopted.

On motion by Senator Gardner, by two-thirds vote **SB 1710** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1712—A bill to be entitled An act relating to the Hillsborough County Hospital Authority; amending s. 2, ch. 80-510, Laws of Florida, as amended; increasing the membership of the board of trustees of the authority; increasing the number of members which comprise a quorum of the board; providing an effective date.

—was read the second time by title. On motion by Senator Davis, by two-thirds vote **SB 1712** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

MOTION

On motion by Senator Yancey, consideration of **SB 1936** was deferred.

SB 2370—A bill to be entitled An act relating to the Palm Beach County Health Care District, Palm Beach County; amending chapter 87-450, Laws of Florida, as amended; providing that the Palm Beach County Health Care District shall be exempt from the payment of fees, taxes, or increment revenue to community redevelopment agencies created pursuant to part III of chapter 163, Florida Statutes; providing for severability; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs recommended **Amendments 1 and 2** which were moved by Senator Weinstock and adopted.

On motion by Senator Weinstock, by two-thirds vote **SB 2370** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2372—A bill to be entitled An act relating to Sarasota County; amending s. 10, ch. 88-475, Laws of Florida; postponing, until a specified date, the expiration of ch. 88-475, Laws of Florida, which regulates the use of gill nets in Sarasota County; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote **SB 2372** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

Consideration of **SB 2374** was deferred.

SB 2384—A bill to be entitled An act relating to the Port Everglades District and the Port Everglades Authority in Broward County; amending ch. 59-1157, Laws of Florida, as amended, and ch. 89-427, Laws of Florida; revising legislative intent; deleting provisions authorizing proposed legislation to recodify the Port Everglades Charter; revising provisions for the election and appointment of commissioners; providing for the dissolution of the Port Everglades District and the Port Everglades Authority on a specified date; providing for the assumption of indebtedness and liabilities of the district and the authority by Broward County; providing for the disposition of the funds, assets, and property of the district and the authority; providing for contracts of the district and the authority to remain in effect; providing for limitations and restrictions on the use of revenues that accrue from the operations, facilities, and assets of the district and the authority to continue after the transfer of such operations, facilities, and assets to Broward County; providing for municipalities within certain boundaries of the district to retain home rule powers, including ad valorem taxing powers; providing for future repeal of ch. 59-1157, Laws of Florida, as amended, and ch. 89-427, Laws of Florida; providing for severability; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2384** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2386—A bill to be entitled An act relating to Nassau County; amending ss. 1 and 2 of chapter 21418, Laws of Florida, 1941, as amended; requiring the Board of Port Commissioners of the Ocean Highway and Port Authority to select a vice chairman; allowing the board to institute a retirement plan and a health insurance plan, to be funded from Port Authority revenues; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote **SB 2386** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2390—A bill to be entitled An act relating to Broward County; amending chapter 90-487, Laws of Florida, relating to the Pompano Beach Farmers Market Authority; providing that members of the authority shall have an interest in the economic success and redevelopment of the Pompano Beach Farmers Market; providing that as many as three

members of the authority may own or operate a business at the Pompano Beach Farmers Market; providing that owning or leasing a building or real estate under jurisdiction of the authority shall not prohibit an individual from serving on the authority; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2390** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2392—A bill to be entitled An act relating to Escambia County; repealing ch. 81-376, Laws of Florida, as amended; abolishing the Escambia County Utilities Authority and transferring all powers, duties, assets, and liabilities of the authority to Escambia County; providing for operation of the utilities system and provision of utilities services; providing for employees of the authority to become employees of Escambia County; providing an effective date.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **SB 2392** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2394—A bill to be entitled An act relating to state road designations; designating a portion of Griffin Road in Broward County the "Anne Kolb Tree Path"; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2394** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2396—A bill to be entitled An act relating to the Central Broward Drainage District, Broward County; amending s. 4d., ch. 61-1439, Laws of Florida, as amended; revising the legal description of zone 2 and zone 3 of the district; amending s. 4g., ch. 61-1439, Laws of Florida, as amended; increasing the allowable compensation for the board of commissioners of the district; providing requirements for the board of commissioners in procuring services, goods, supplies, and materials; specifying the maximum contract amount that the board of commissioners may enter into without advertising for bids; providing circumstances under which the board of commissioners may procure services without competitive bids; providing that this act takes precedence over any conflicting law to the extent of such conflict; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2396** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2404—A bill to be entitled An act relating to the North Broward Hospital District, Broward County; amending chapter 27438, Laws of Florida, 1951, as amended, relating to the powers of the hospital board to invest its funds; authorizing investment in specified instruments; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2404** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2414—A bill to be entitled An act relating to the Halifax Hospital Medical Center, Volusia County; amending sections 7, 8, 12, 13, 14, and 20 of chapter 79-577, Laws of Florida, as amended, relating to powers and duties of the district; clarifying the borrowing of funds and issuance of promissory notes; authorizing establishment of health care facilities and services throughout Volusia County; authorizing for-profit corporations to provide health care services; modifying bond validation requirements to be consistent with s. 75.02, F. S.; clarifying authority to self-insure certain hospital/physician professional liability risks; authorizing charging for indigent care services on the same sliding scale as used by Volusia County; clarifying the form of the district's financial statements; amending provisions relating to competitive bidding requirements; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote **SB 2414** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2420—A bill to be entitled An act relating to North Springs Improvement District, Broward County; amending s. 2, chapter 71-580, Laws of Florida, as amended; expanding the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2420** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2440—A bill to be entitled An act relating to Lake County; authorizing the consolidation of Central Florida Health Care Development Corporation, the parent corporation of Leesburg Regional Medical Center, Inc., and Lake County Health Care Systems, Inc., the parent corporation of Waterman Medical Center, Inc.; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote **SB 2440** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2448—A bill to be entitled An act relating to Broward County; creating the Broward County Natural Resource Protection Act; providing legislative intent; providing definitions; authorizing the Board of County Commissioners of Broward County to impose and recover civil penalties and to issue citations for violations of ordinances protecting the natural resources of Broward County; providing for administrative hearings and civil penalties; providing for construction of the act; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2448** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2450—A bill to be entitled An act relating to the City of Coral Springs, Broward County; extending and enlarging the corporate limits of the City of Coral Springs to include specified unincorporated lands; protecting contract rights; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2450** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2452—A bill to be entitled An act relating to the City of Coral Springs, Broward County; extending and enlarging the corporate limits of the City of Coral Springs to include specified unincorporated lands; protecting contract rights; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **SB 2452** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

HB 1669—A bill to be entitled An act relating to Palm Beach County; repealing chapter 63-1746, Laws of Florida, as amended, which provides for the removal of unsafe buildings; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote **HB 1669** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

HB 1687—A bill to be entitled An act relating to the Tallahassee downtown improvement authority; amending chapter 71-935, Laws of Florida; increasing the membership of the board; providing for appointment and terms; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote **HB 1687** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 2374—A bill to be entitled An act relating to Hillsborough County; amending ss. 1, 2, 3, 5, 9, and 11, ch. 83-423, Laws of Florida, as amended by ch. 87-496, Laws of Florida, and ch. 88-493, Laws of Florida, relating to the Hillsborough County Public Transportation Commission; providing for regulation of tow trucks by the commission; authorizing the commission to set maximum taxicab rates, fares, and charges; providing definitions; requiring tow truck operators to obtain a certificate of operation; exempting tow truck operators from a public hearing requirement; exempting tow trucks from certain cleaning requirements; requiring tow trucks to comply with certain safety, inspection, and insurance requirements; conforming enforcement provisions to changes made by the act; amending s. 12, ch. 83-423, Laws of Florida, as amended by ch. 88-493, Laws of Florida; prohibiting tow truck operators from subcontracting with individual operators; providing a temporary exemption from the certification requirement for certain operators; providing an effective date.

—was read the second time by title.

Senator Grant moved **Amendment 1** which failed.

On motion by Senator Davis, by two-thirds vote **SB 2374** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—None

SPECIAL ORDER

HB 2345—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 1991 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1991 shall be effective immediately upon publication; providing that general laws enacted during the 1989 regular and special legislative sessions up to and including the special session of June 19 to June 20, 1989, and prior thereto and not included in the Florida Statutes 1991 are repealed; providing that general laws enacted during the November 1989 special session, the 1990 regular and special sessions, the January 1991 special session, and the 1991 regular session are not repealed by this adoption act.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2345** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33 Nays—None

HB 2347—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 409.211(1), 413.034(1), 413.381(1), 420.511(5)(i), 420.608(4), 420.806(1), 443.141(3)(g), 447.207(6), (7), 455.01, 455.213(5), 455.217(3), 458.315(3), 458.331(5), 458.335(2), 458.348(2), 459.0155(9), 460.408(1)(b), 460.4104(10), 465.0165(3), (4)(a), (7)(a), (8), 465.025(6), 465.186(1), (2), 466.0283(8), 468.402(1)(n), 468.403(1), 468.509(2)(a), 474.2141(6)(b), (7)(b), (8), 476.114(3), 479.16(13), 484.002(6)(b), 486.085(3)(b), 486.151(1)(c), 494.055(1)(h), (i), 494.07(3)(b), 497.0484(10), 498.023(3)(d), 500.174(1), 501.211(2), 519.101(1), 526.311(1), 534.083(1), 553.73(9), 553.902(1)(d), 553.912, 553.969, 554.105(2)(b), 554.106, 561.26(1), 561.68(2), 563.022(17)(a), (18)(d), 568.07(1), (2), 570.51(3), 573.124(6), 580.031(20), 580.112(11), and 600.041(11), Florida Statutes, and s. 585.35, Florida Statutes, renumbered as s. 585.003, Florida Statutes, by s. 4, ch. 90-321, Laws of Florida, and ss. 409.175(4)(a), 413.341(1), 440.37(2)(b), 458.320(4)(b), (5)(a), 458.331(1)(p), (t), 459.0085(5)(a), 459.0125(2)(a), 459.015(1)(t), 460.413(1)(p), 461.013(1)(o), (t), 466.028(1)(p), (7), 479.01(21), 516.02(1), 526.141(3), 550.262(5)(h), 601.154(4)(d), (f), and 620.192(3)(e), Florida Statutes (1990 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been implicitly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was read the second time by title.

Senator Childers moved **Amendments 1 and 2** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2347** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2347** was ordered immediately certified to the House.

HB 2349—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.30(2), 15.0913, 18.101(3), 20.15(6), (7), 24.102(2)(b), 24.112(9)(a), 24.113(2), 27.51(1), 39.426(6), 39.429(1), 48.195(2), 55.10(7), 61.1301(2)(a), (d), (f), 61.14(5)(a), 103.101(4), 106.15(4), 110.209(2)(a), 112.061(4)(b), (7)(b), 112.3144(3)(c), 120.55(1)(a), 122.07(2), 125.011, 125.012(15), (21), (23), 125.014, 125.019, 132.34(9), 145.051(2)(b), 145.071(2)(b), 145.09(3)(b), 161.054(3), 163.3227(1)(a), 163.3229, 163.340(12)(b), 163.358(4), 163.387(2)(a), 163.517(3), 164.105, 164.106(2), 170.01(3), 170.03, 170.16, 177.031(10), 185.02(1), 186.515, 196.012(5), 196.1975(9)(b), 196.199(2)(a), 199.183(2)(b), 203.04(1), 205.022(6)(b), 207.0281(2), 212.06(1)(c), 214.03(2), 215.63(1), 218.32(4), 228.2001(2)(d), 228.401(2), 229.781, 230.331(2), (3), 230.645(9), 231.095(1)(b), 235.41(1), 237.34(2)(a), and 240.533(2), Florida Statutes, and ss. 11.45(1)(a), 20.30(4)(o), (5)(k), 20.315(15), 39.001(3)(b), 39.01(10)(c), (40)(a), 39.076(3)(k), 39.41(7), 39.4105(5), 39.469(2)(b), 106.26(11), 110.1127(3)(a), (e), 110.123(7), 110.207(1)(a), 119.07(1)(b), (3)(q), 120.53(5), 121.031(3)(a), 125.0104(3)(b), 154.209(16), (17)(b), 163.01(7)(e), (15)(b), 210.05(3)(b), 212.0305(2), 212.05(1)(a), (c), 212.08(15)(e), 216.031(10), 216.301(3), 236.081(4)(a), (6)(c), (11), (12), (13)(a), 240.209(3)(e), 240.35(4), (9), 240.539(4), (6)(a), and 242.335(3)(a), Florida Statutes (1990 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, served their purpose, or have been impliedly repealed or superseded; revising or correcting cross-references; correcting grammatical typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and correcting errors in the editing, publishing, and printing of the Florida Statutes.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2349** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33 Nays—None

HB 2351—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 120.52(1), 440.021, 440.17, 440.24, 440.28, 440.29, 440.30, 440.31, 440.32, 440.33(1), (2), 440.41(2), (3), 440.42(3), 440.442, 440.47, 440.54, 766.302(4), 766.304, 766.305(6), 766.307(1), (3), 766.308(1), 766.309, 766.31(1), 766.311, 766.312, 960.09(3), and 960.15, Florida Statutes, and ss. 112.3145(4), 440.16(3)(b), (4), (7), 440.185(1), (6), 440.20(7), (11), (13), 440.25(1), (6), 440.34(1), (6), 440.44(3), (5), (6), (8), 440.45(3), (6), (8), and 960.03(5), Florida Statutes (1990 Supplement), pursuant to the directive of the Legislature in s. 36, ch. 89-289, Laws of Florida, to conform to s. 23, ch. 89-289, Laws of Florida, which redesignated the workers' compensation Chief Commissioner as Chief Judge and the deputy commissioners as judges of compensation claims; and amending s. 413.341(1)(d), Florida Statutes (1990 Supplement), to conform to the redesignation of the workers' compensation deputy commissioners as judges of compensation claims by s. 23, ch. 89-289, Laws of Florida.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2351** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 2353—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 440.25(4)(b), (c), 440.271, and 440.34(3) and (5), Florida Statutes (1990 Supplement); and repealing s. 440.272, Florida Statutes (1990 Supplement), pursuant to the directive of the Legislature in s. 10, ch. 91-2, Laws of Florida, to conform to the repeal by s. 6, ch. 91-2, Laws of Florida, of s. 20.171(5) relating to the Industrial Relations Commission.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2353** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 2355—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 112.153, 381.703(2)(c), 395.101(1)(d), 395.63, and 400.609(2), Florida Statutes, and s. 154.304(1) and (4), Florida Statutes (1990 Supplement); to conform to ch. 88-394, Laws of Florida, which

changed the name of the Hospital Cost Containment Board to the Health Care Cost Containment Board.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2355** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 2357—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 63.301(1), 112.321(1), 240.307(1)(b), 267.073(2), 288.704(3), 341.323(1)(b), 348.952(3), 381.602(2), 383.144(8)(b), and 413.011(2), Florida Statutes, and ss. 265.32(2)(c) and 407.01(1)(c), Florida Statutes (1990 Supplement), to delete provisions relating to the terms of the initial appointees of members of councils, commissions, boards, and authorities which have had their effect, and, accordingly are omitted pursuant to s. 11.242(5)(i), Florida Statutes; and to clarify a reference to specified municipalities in s. 348.952(3), Florida Statutes.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2357** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 2359—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 253.027(8), 253.12(1), 253.1241, 253.135(2), 256.051(1), 257.35(5), 258.39(11), (26), (27), 267.071(3), 282.1021(1), 282.303, 285.07, 285.165(1), 288.1164, 288.1165, 288.504(3), 288.744(4), 288.745(7), 289.181, 289.191, 290.015(4), 295.02, 298.11(5), 316.251(2), 316.455(1), (2), (3), (4), (5), 316.545(2)(b), (4)(a), 316.605(2), 316.650(1), 320.38, 322.031(1), 322.201, 322.28(2)(e), 327.73(2), 329.11(1)(b), 335.141(2)(b), (5), 335.15(6), 335.181(1)(a), 336.01, 336.048, 337.145(1), 337.167(1), 337.401(4)(a), 339.2405(2), (10), 341.348, 348.25, 350.113(2), 369.303(9), 370.1603(1), 372.992(1), 373.409(3), 376.185, 376.205, 377.607, 378.402(2), 381.702(5), 385.204(1), 388.201(1), (4)(a), 388.4111(2)(c), (e), 391.208(3), 394.463(2)(b), 394.75(1)(b), (11)(b), 395.101(1)(d), 395.61, 395.63, 400.331(2), 400.428, 400.478(1), 400.609(2), 402.40(5)(c), 403.091(3)(c), 403.7125(3), 404.20(1)(b), 407.02(5), 407.05(2), (8), 407.07(1)(b), 407.10(3), 407.50(9)(b), (11), and 407.53, Florida Statutes, and ss. 265.2865(2)(b), 310.071(1), 316.1955(2)(b), (c), 316.6105(6), 320.0805(8)(a), 327.25(13), 333.01(3), 337.242(1), 370.021(5)(b), (7), 376.307(3)(a), 381.601(9), 393.0655(1)(i), (2)(b), 394.457(6)(a), (b), 396.0425(1)(i), (2)(b), (3)(b), 397.0715(1)(i), (2)(b), 402.305(1)(a), 403.061(29), 403.716(1), 407.002(25), and 407.01(1)(c), Florida Statutes (1990 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was read the second time by title.

Senator Childers moved **Amendments 1, 2, 3 and 4** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2359** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2359** was ordered immediately certified to the House.

HB 2361—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 378.406(1)(b) and 404.056(5)(c), Florida Statutes, and repealing s. 377.2409(2), Florida Statutes, to give effect to the repeal of portions of said provisions in accordance with s. 119.14, Florida Statutes, the Open Government Sunset Review Act.

—was read the second time by title.

Senator Childers moved **Amendments 1, 2, 3 and 4** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2361** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2361** was ordered immediately certified to the House.

HB 2363—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 624.606(1)(e), 624.6065, 624.6081, 627.733(3)(b), 631.817(2)(b), 632.614(1), 632.635, 633.025(1), 639.16(5), 641.3107, 641.55(6), (8), 651.033(3)(d), 658.12(5), 658.77(1), 660.41(8), 663.06(9), 681.108(1), 681.1095(13), 686.501(1), 688.008(1), 689.115, 695.20, 705.17, 717.101(8), 717.1311(3), 719.106(1)(f), 719.112(2)(d), 723.041(1)(c), (e), 726.107(5)(b), 727.104(1)(b), (2)(a), 766.102(3)(b), 766.105(1)(b), (2)(b), (e), 766.112(1), 766.203(2), (3), 766.205(1), (2), 766.206(1), 766.207(3), (7)(k), 768.13(2)(b), 768.81(2), (6), 796.07(4), 812.015(2), 817.234(2), 828.125(1), 828.27(1)(g), (2)(f), 838.015(3), 856.015(1), (3), (4), 893.15, 943.10(4), 943.12(3), 944.053(4), 944.10(2)(a), 944.405(3), 944.47(1)(a), 947.1745(4), 950.001(4)(b), and 958.12, Florida Statutes, and ss. 624.462(6), 626.471(1), 626.9541(1)(p), 627.351(4)(h), 627.357(1)(b), 641.31(3)(a), 665.034(3), 717.106(1)(d), 721.11(3)(d), 721.15(6), 772.102(1), 796.08(1)(b), 901.15(7)(a), and 921.001(9), Florida Statutes (1990 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; and reenacting ss. 633.701 and 633.702, Florida Statutes, to confirm the existence of those provisions in context of apparent legislative intent pursuant to ch. 88-149, Laws of Florida, to revive and readopt them and provide for their future repeal by s. 11.61, Florida Statutes.

—was read the second time by title.

Senator Childers moved **Amendments 1 and 2** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2363** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2363** was ordered immediately certified to the House.

HB 2365—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 723.079(1), 790.07(2), and 839.25(1), Florida Statutes, and repealing ss. 83.66, 193.023(6), 337.241(2), (3), 390.001(4)(a), 447.04(1)(a), 550.355(2), 559.94, 732.803, 768.80, and 914.22(1)(a), (3), Florida Statutes, and s. 212.08(7)(w), Florida Statutes (1990 Supplement), to conform to judicial decisions holding said provisions or parts thereof unconstitutional.

—was read the second time by title.

Senator Childers moved **Amendments 1, 2, 3 and 4** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2365** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2365** was ordered immediately certified to the House.

HB 2367—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 39.4055(5), 100.241(5), 104.013(4), 104.031, 104.0515(5), 104.185, 110.126, 110.127(1), 161.053(8), 161.121, 198.37, 198.39, 201.17(1), 201.20, 203.03, 206.9931(1), 210.15(8), 210.18(6)(a), (8)(b), 211.25(1), 212.07(3), (4), 212.096(11), 212.10(5), 212.13(1), (2), 212.14(3), 212.15(2)(a), 214.60, 216.311(2), 228.091(1), (2), 231.06(1), 235.09, 240.381(1), 240.5337(2), 281.08(2), 286.011(3)(b), 288.011(4), 316.545(1), 316.646(4), 320.07(3)(b), 320.0898(5), 320.58(2), 320.77(10), 320.831(2), (3), 322.13(2), 324.221(3), 327.30(4), 327.33(1), (3)(a), 327.3521(5), 327.65(2)(a), 327.72, 327.731(2), 328.19, 367.165(1), 372.26(2), 372.5717(8), 372.6645(3), 372.667(3), 372.99(1), (3), 373.336(3), 375.314(1), 381.262(3), 381.294(7)(a), 381.295(8)(c), 381.711, 384.34(1), (2), (3), 390.001(7), 390.012(3), 390.025(3), 392.67(2), (3), 395.0142(5)(c), 395.0165(1), 396.172(2), 399.11, 400.427(6)(a), 401.41(1), (2), (3)(a), 402.318, 403.7198(6), 404.20(9), 413.012(3), 413.021(4), 413.031(5),

413.067, 447.14, 448.09(3), 455.232(2), 455.25, 457.116(2), 458.327(2), 460.411(2), 461.012(2), 463.015(2), 464.016(2), 465.015(4), 465.186(5), 466.021, 466.026(2), 466.039, 467.201, 468.1745(2), 468.311, 468.454(1), 468.517(2), 470.023, 470.031(2), 472.031(2), 473.322(2), 474.213(2), 475.421, 475.452(4), 475.453(3)(a), 476.194(2), 477.0265(2), 481.223(2), 481.323(2), 482.191(2), (3), 483.325(1), 484.013(4), 484.053(2), 484.054, 489.531(2), 489.558(1), 492.112(2), 499.75(3), (6), (7), (8), (9), 501.055, 501.122(3)(b), 501.138(4), 501.2045(2), 506.518, 509.510, 513.054, 513.10(1), 513.111(3), 513.121(1), 513.13(2), 534.52(3), 546.008, 548.008(2), 548.012(2), 548.013(3), 548.017(2), 548.037, 548.058(3), 548.06(3)(b), 548.064, 548.079, 550.361(3), 552.22(3), (4), (5), (6), (7), (10), 553.41, 559.917(3), 561.25(2), 580.121(3)(a), 581.211, 590.12(2), 616.266(2), 624.15, 626.847, 627.734(2), 633.052(3), 633.171(2), 633.175(8), 633.702(3), 634.2515, 634.328, 634.431, 637.429(1), 641.37(3), (4), (5), 657.004(2), 686.506(4), 713.76(3), 723.041(1)(c), 741.31, 777.04(4)(d), (e), 784.011(2), 784.03(2), 790.053, 790.10, 790.17, 790.18, 790.22(2), 790.225(3), 790.27(2)(b), 794.03, 796.07(5), 806.031(1), 806.13(1)(b), 806.14(2)(a), (b), 810.08(2)(a), (b), 810.09(2)(b), 810.10(2), 810.11(2), 810.115, 812.015(6), 812.14(4), 815.05(1)(b), (2)(b), 817.037(1), 817.155, 817.355, 817.562(3)(b), 817.564(5), 823.12, 827.05, 827.06(1), 828.058(6), 828.122(4), 828.13(2), (3), 828.27(4), 837.012(1), 837.05, 837.06, 839.26, 843.02, 843.165(2), 847.011(2), 847.0125(2)(c), 847.0135(3), 847.0147(2), 849.091, 849.0935(5), 856.015(4), 859.06, 872.05(10)(b), 877.15, 877.155(2), 877.17(3), 893.147(1), (3)(b), (4), 895.07(6), 914.22(2), 933.27, 933.28, and 944.35(3), (6), (7)(a), Florida Statutes, and ss. 110.1127(3)(g), 125.0104(8)(a), (b), 125.0108(4)(a), (b), 192.105(2), 199.282(8), 203.01(7), 203.63(3), 206.27(2), 206.877(5), 212.0305(3)(i), (j), 212.05(1)(a), 212.12(13), 212.18(3)(a), 213.053(2), 267.061(3)(m), 287.0943(7), 288.075(5), 320.27(8), 331.3101(4), 381.601(7), 394.875(3), 403.413(5)(b), 415.111(1), (2), 415.513(1), (2), (3), 440.34(6), 459.013(3), 475.42(2), 489.127(2), 626.9541(1)(u), 629.401(6)(b)7., 21., 796.08(4), (5), (6), and 943.058(3)(b), Florida Statutes (1990 Supplement); conforming to s. 6, ch. 88-131, Laws of Florida, which deleted all reference to misdemeanors from s. 775.084, Florida Statutes.

—was read the second time by title.

Senator Childers moved **Amendments 1, 2, 3 and 4** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2367** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2367** was ordered immediately certified to the House.

HB 2369—A reviser's bill to be entitled An act relating to the Florida Statutes; amending s. 322.18(8)(f), Florida Statutes, to conform to the repeal of s. 322.18(8)(a), (b), (c), and (d); amending s. 550.52(7), Florida Statutes (1990 Supplement), to delete provisions which have expired; and repealing ss. 17.31, 112.192, 159.805(9), 159.808, 189.003, 196.295(3), 207.028, 210.15, 210.16, 210.161, 212.14(6), 212.63(1), (3), 214.09, 215.3205(4), 218.37(3), 240.271(5)(b), 240.532, 265.288, 266.01, 266.02, 266.03, 266.04, 266.05, 266.06, 266.07, 266.101, 266.102, 266.103, 266.104, 266.105, 266.106, 266.110, 266.111, 266.112, 266.113, 266.114, 266.115, 266.201, 266.202, 266.203, 266.204, 266.205, 266.206, 266.301, 266.302, 266.303, 266.304, 266.305, 266.306, 266.401, 266.402, 266.403, 266.404, 266.405, 266.406, 266.408, 266.409, 266.410, 266.501, 266.502, 266.503, 266.504, 266.505, 266.506, 266.507, 292.07, 322.18(8)(a), (b), (c), (d), 322.261, 351.003(1), 351.009, 377.706, 403.1659, 404.056(2), 450.34(3), 455.2226(1), (2), 481.205(3), 520.04, 520.041, 520.05, 520.06, 520.331, 520.332, 520.53, 520.54, 520.55, 520.56, 520.62, 520.66, 520.925, 520.96, 520.97, 573.50, 573.51, 573.52, 573.53, 573.54, 573.55, 573.56, 573.57, 573.58, 573.59, 573.60, 573.61, 573.62, 573.63, 573.64, 573.65, 573.66, 573.67, 573.68, 573.69, 573.70, 573.71, 573.72, 573.73, 573.74, 573.75, 573.76, 573.801, 573.802, 573.803, 573.804, 573.805, 573.806, 573.807, 573.808, 573.809, 573.810, 573.811, 573.812, 573.813, 573.814, 573.815, 573.816, 573.817, 573.818, 573.819, 573.820, 573.821, 573.822, 573.823, 573.824, 573.825, 573.826, 573.827, 624.512, 624.513, 624.514, 633.05, 633.051, 633.40, 697.206(1), 726.01, 726.07, 726.08, 766.107, and 766.109, Florida Statutes, and ss. 20.19(5)(b)3.a., 4., 20.315(8)(c), 266.08, 266.118, 266.2095, 266.309, 266.411, 266.508, 282.502, 341.051(3)(d), 372.57(1)(h), 450.33(10), and 468.1695(2), Florida Statutes (1990 Supplement), all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from pub-

lication in the Florida Statutes 1991 only through a reviser's bill duly enacted by the Legislature.

—was read the second time by title.

Senator Childers moved **Amendments 1, 2, 3 and 4** which were adopted.

On motion by Senator Childers, by two-thirds vote **HB 2369** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

On motion by Senator Childers, the rules were waived and **HB 2369** was ordered immediately certified to the House.

HB 2371—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 110.402(3), 215.3205(1), (2), (3), 220.67, 272.125, 291.02, 291.03, 291.04, 291.05, 291.06, 291.07, 291.08, 291.09, 291.10, 291.11, 291.12, 291.13, 291.14, 291.16, 291.17, 291.18, 291.21, 291.22, 291.23, 291.27, 291.28, 291.29, 291.30, 291.31, 291.32, 291.325, 324.241, 348.975, 348.976, 348.977, 348.978, 348.979, 348.981, 348.982, 348.983, 348.984, 348.985, 348.986, 348.987, 348.988, 348.989, 348.991, 348.992, and 737.407, Florida Statutes, and s. 242.68(2)(g), Florida Statutes (1990 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2371** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

Special Guests

Senator Johnson, in announcing the American Cancer Society's "Florida Cancer Plan," introduced Robert B. Williams, Acting Secretary of the Department of Health and Rehabilitative Services; Dr. Charles Mahan, Deputy Secretary for Health; Mrs. Jerry Woelfel, American Cancer Society of Florida; and Dr. Jack MacDonald, Cancer Control and Research Advisory Council, who were seated in the gallery.

CS for CS for SB's 1042, 142, 366 and 1070—A bill to be entitled An act relating to public officers, candidates for public office, and public employees; amending s. 112.312, F.S.; providing additional definitions and redefining the term "gift" for purposes of part III of ch. 112, F.S., and s. 8, Art. II of the State Constitution; amending s. 112.313, F.S.; clarifying a prohibition; including provisions regulating representation before certain agencies by legislators, statewide elected officers, and agency employees, and standards of conduct for legislators and employees; removing provisions relating to disclosure of certain specified interests; providing exemptions from the prohibition against a public officer or employee doing business with his own company or entering into a conflicting employment relationship; repealing s. 112.3141, F.S., relating to additional standards of conduct for public officers and employees; amending s. 112.3143, F.S.; providing definitions; providing additional disclosure requirements and prohibitions for public officers in circumstances in which potential voting conflicts are involved; amending s. 112.3145, F.S.; requiring certain officers, candidates, and employees who hold a specified relationship with business entities authorized to operate in this state to file a disclosure statement as part of their financial statement; amending ss. 112.3146, 112.3147, F.S.; correcting cross-references; amending s. 112.3148, F.S.; prohibiting governmental entities and direct-support organizations from making certain gifts to persons who must file disclosure of financial interests and procurement employees; providing for the valuation of gifts; correcting a cross-reference; amending s. 112.3149, F.S.; redefining "honorarium"; providing applicability; amending s. 112.317, F.S.; providing penalties for officers, employees, and candidates who violate s. 8, Art. II of the State Constitution; providing penalties for former public officers or former employees who violated provisions of part III of ch. 112, F.S., or s. 8, Art. II of the State Constitution; removing prohibition against certain disclosures of information; amending s. 112.320, F.S.; providing that the Commission on Ethics is the commission provided for in s. 8(f), Art. II of the State Constitution; amending s. 112.3215, F.S.; providing for registration by lobbyists of principals; increasing the lobbyists registration fee; providing for semi-annual reports by lobbyists; providing for receipt and disposition of complaints against lobbyists; providing investigation procedures; amending s. 112.322, F.S.; providing authority of the commission with respect to

breaches of the public trust; authorizing the commission to delegate to its investigators the authority to administer oaths; authorizing the commission to delegate its subpoena powers to its members or executive director; authorizing the commission to allow its employees to serve such subpoenas; providing authority for the commission to make rules; creating s. 112.3231, F.S.; providing time limitations for complaint filing; amending s. 112.324, F.S.; modifying procedures on complaints of violations of part III of ch. 112, F.S., or s. 8, Art. II of the State Constitution; providing procedures for complaints against former officers, former employees, and former candidates; providing procedures for complaints against candidates; providing effective dates for lobbyist registration fees; providing an effective date.

—was read the second time by title.

Senator Gordon moved **Amendments 1, 2, 3 and 4** which were adopted.

Senator Langley moved **Amendments 5, 6, 7 and 8** which were adopted.

Senators Johnson and Langley offered **Amendment 9** which was moved by Senator Johnson and adopted.

Senators Johnson, Malchon and Wexler offered **Amendment 10** which was moved by Senator Johnson and adopted.

Senator Kirkpatrick moved **Amendment 11**.

MOTIONS

On motion by Senator Thomas, by two-thirds vote **CS for CS for SB's 1042, 142, 366 and 1070** as amended and with pending **Amendment 11**, was referred to the Committee on Rules and Calendar.

On motion by Senator Thomas, the rules were waived and time of recess was extended until completion of **CS for SB's 58 and 2294**.

The Senate resumed consideration of—

CS for SB's 58 and 2294—A bill to be entitled An act relating to governmental reorganization; creating s. 20.41, F.S.; creating a Department of Elderly Affairs; providing for its organization; transferring specified powers, duties and functions, records, personnel, property and funds from the Pepper Commission on Aging to the department; transferring the state and district nursing home and long-term care facility ombudsman councils from the Pepper Commission on Aging to the department; amending ss. 400.304, 400.307, F.S., relating to the state and district nursing home and long-term care facility ombudsman councils, to conform; adding provisions relating to council duties and positions; amending s. 410.016, F.S.; requiring coordination of Department of Health and Rehabilitative Services' activities with the Department of Elderly Affairs; creating s. 410.701, F.S.; providing for contracting between the Department of Health and Rehabilitative Services and area agencies on aging; amending s. 410.505, F.S., and repealing section 4 of chapter 89-294, Laws of Florida; abolishing the Pepper Commission on Aging; conforming provisions and saving such section from Sundown repeal; amending and renumbering s. 410.505, F.S., and creating ss. 430.01, 430.02, 430.03, 430.05, 430.055, 430.058, 430.06, F.S.; providing a short title; providing legislative intent; specifying the purposes of the Department of Elderly Affairs; establishing duties and responsibilities of the department; creating the Department of Elderly Affairs Advisory Council; providing duties and membership; requiring a plan to improve the provision of social services and long-term care; creating the Elder Services Advocacy Committee; providing duties of the committee; providing rulemaking authority; providing for future review and repeal pursuant to the Sundown Act; creating a Commission on Volunteer Community Services; prescribing its composition and duties; exempting commission members from financial disclosure requirements; amending s. 410.201, F.S.; providing for administration of the older volunteer service program by the Department of Elderly Affairs; amending s. 402.165, F.S.; providing for the Department of Health and Rehabilitative Services' Human Rights Advocacy Committee to cooperate with the Elder Services Advocacy Committee; providing an effective date.

—which had been read the second time on April 10.

On motion by Senator Forman, **CS for SB's 58 and 2294** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32 Nays—5

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 11, 1991: HB 2345, HB 2347, HB 2349, HB 2351, HB 2353, HB 2355, HB 2357, HB 2359, HB 2361, HB 2363, HB 2365, HB 2367, HB 2369, HB 2371, CS for CS for SB's 1042, 142, 366 and 1070, CS for SB's 58 and 2294, SB 644, CS for SB 1926, CS for SB 284, SB 2098, SB 264, CS for SB's 508 and 514, CS for SB 764, SB 64, SB 70, CS for SB 908, SB 918, CS for SB 1286, SB 1644, SB 1170, CS for SB 970, CS for SB 962, SB 1304, SB 2070

Respectfully submitted,
Pat Thomas, Chairman

The Committee on Rules and Calendar withdraws the following bills and submits them for the Local Bill Calendar for Thursday, April 11, 1991: SB 738, SB 894, SB 1048, SB 1050, SB 1090, SB 1092, SB 1094, SB 1166, SB 1198, SB 1200, SB 1274, SB 1344, SB 1380, SB 1516, SB 1710, SB 1712, SB 1936, SB 2370, SB 2372, SB 2374, SB 2384, SB 2386, SB 2390, SB 2392, SB 2394, SB 2396, SB 2404, SB 2414, SB 2420, SB 2440, SB 2448, SB 2450, SB 2452, HB 1255, HB 1521, HB 1669, HB 1687

Respectfully submitted,
Pat Thomas, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 60 with 1 amendment, CS for SB 240, CS for SB 654, CS for SB 882, CS for SB 1022, CS for SB 1030, CS for SB 1192, CS for SB 1348, CS for SB 1768, CS for SB 1892, CS for SB 1996, CS for SB 2172, SB 2210

The bills were referred to the Committee on Appropriations under the original reference.

The Committee on Transportation recommends the following pass: SB 1422

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 1724 with 2 amendments

The Committee on Governmental Operations recommends the following pass: HB 565, CS for HB 637, HB 755, CS for SB 1468 with 1 amendment, SB 1682

The Committee on Transportation recommends the following pass: CS for SB's 476 and 528 with 1 amendment

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Commerce recommends committee substitutes for the following: SB 718, SB 840, SB 1378, SB 2036, SB 2058

The bills with committee substitutes attached were referred to the Committee on Appropriations under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 1408, SB 1446

The bills with committee substitutes attached were referred to the Committee on Community Affairs under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 772, SB 1124, SB 1890, SB 2292

The bills with committee substitutes attached were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 348, SB 658, SB 1280, SB 1732

The bills with committee substitutes attached were referred to the Committee on Judiciary under the original reference.

The Committee on Appropriations recommends committee substitutes for the following: SB 536, CS for SB 640, CS for SB 704, SB 734, CS for SB 1024, CS for SB 1984, CS for CS for SB 2306

The Committee on Commerce recommends committee substitutes for the following: SB 310, SB 978, SB 1430, SB 1580, SB 1642, SB 1776

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: CS for SB 740, CS for SB 1976

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Diaz-Balart—

SB 2454—A bill to be entitled An act relating to the City of Miami, Dade County; providing for the relief of Damian Garcia to compensate him for damages for injuries received in an accident at a beach owned and maintained by the city through the negligence of the city; providing for payment of said compensation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Forman—

SB 2456—A bill to be entitled An act relating to the Port Everglades District; amending s. 2, pt. 2, ch. 59-1157, Laws of Florida, as amended by ch. 89-427, Laws of Florida, removing certain territory from the Port Jurisdictional Area of that district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Commerce and Senator Bruner—

CS for SB 310—A bill to be entitled An act relating to insurance; amending s. 627.733, F.S.; providing an exemption from mandatory motor vehicle insurance requirements for specified military personnel; providing an effective date.

By the Committee on Commerce and Senator Weinstein—

CS for SB 348—A bill to be entitled An act relating to personnel consultants and recruiters and employment-related services companies; creating s. 501.126, F.S.; creating the "Consumer Employment Protection Act"; creating s. 501.1263, F.S.; providing intent; creating s. 501.1265, F.S.; providing definitions; creating s. 501.1267, F.S.; providing powers and duties of the Department of Business Regulation with respect to the regulation of employment-related services companies and personnel consultants and recruiters; creating s. 501.127, F.S.; providing for licensure of employment-related services companies; providing licensing procedures, prerequisites, and restrictions; creating s. 501.1271, F.S.; providing procedures for license renewal; creating s. 501.1273, F.S.; providing licensing fees; providing for deposit of moneys collected by the department; requiring an employment-related services company to file a schedule of fees and sample contract; creating s. 501.1275, F.S.; establishing requirements for the content of contracts and registration agreements between employment-related services companies and job applicants, including statement of the refund policy; prohibiting contracts for certain services from being linked to contracts for other services; creating s. 501.1277, F.S.; requiring certain records to be kept; creating s. 501.1278, F.S.; specifying prohibited acts; creating s. 501.1279, F.S.; providing for a survey of private personnel agencies under certain circumstances; creating s. 501.128, F.S.; requiring registration of personnel consultants and recruiters; providing registration procedures; providing a civil penalty; creating s. 501.1285, F.S.; establishing requirements for the content of contracts and registration agreements between personnel consultants and recruiters and job applicants; creating s. 501.1287, F.S.; specifying prohibited acts; creating s. 501.129, F.S.; requiring the department to enforce the act; providing for complaints and hearings; providing for license revocation or suspension; providing civil and criminal penalties; creating s. 501.1293, F.S.; authorizing the department to seek injunctions; creating s. 501.1295, F.S.; providing for recovery of attorney's fees; creating s. 501.1297, F.S.; exempting government employment agencies from the act; creating s. 501.1298, F.S.; providing that license taxes on employment agencies are not affected by the act; creating s. 501.1299, F.S.; providing an exemption for personnel consultants and recruiters and employment-

related services companies which provide such services only for persons in the fields of health care or personal care; amending s. 498.019, F.S., relating to the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund, to conform; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senator Davis—

CS for SB 658—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 673.104, F.S.; clarifying that a warrant issued by the Comptroller directing the Treasurer to pay a sum certain shall not be considered a negotiable instrument; providing legislative intent; amending ss. 679.504, 679.506, F.S.; clarifying that a guarantor of the obligation secured under a secured transaction has the same rights as the debtor has to reasonable notice prior to sale or disposition of the collateral by the secured party after the debtor's default which right cannot be waived prior to default and to redeem the collateral prior to its sale or disposition by the secured party; providing an effective date.

By the Committee on Commerce and Senator Jenne—

CS for SB 718—A bill to be entitled An act relating to loan brokers; providing definitions; prohibiting loan brokers from performing certain acts; providing for the responsibility of principals; providing for investigations, cease and desist orders, and hearing procedures with respect to loan brokers; providing for fines and disposition thereof; providing for examinations, subpoenas, hearings, and witnesses; providing for injunctions to restrain violations; providing criminal penalties; providing for actions for damages; providing for the powers and duties of the Department of Banking and Finance; providing an effective date.

By the Committee on Commerce and Senators Jenne and Grant—

CS for SB 978—A bill to be entitled An act relating to insurance; amending s. 627.410, F.S.; providing that benefits of an individual accident and health insurance policy form are reasonable in relation to premium rates if the rates are filed pursuant to a loss ratio guarantee; providing an effective date.

By the Committee on Commerce and Senator Weinstein—

CS for SB 1280—A bill to be entitled An act relating to personal injury protection insurance; amending s. 627.736, F.S.; requiring insurers to pay assigned personal injury protection benefits directly to the treatment providers in certain situations; providing that insurers remain liable to the treatment providers when assigned benefits are paid to other persons in certain situations; providing that the refusal of an insurer to pay assigned benefits to the treatment provider is prohibited conduct that subjects the insurer to penalties; limiting the scope of certain mental or physical examinations and limiting who may conduct them; requiring certain independent examinations prior to an insurer withdrawing payment of a treating physician; limiting such examinations; exempting physicians from the provisions of s. 455.241, F.S., under certain conditions; providing an effective date.

By the Committee on Commerce and Senator Forman—

CS for SB 1430—A bill to be entitled An act relating to insurance; amending s. 626.99, F.S.; applying certain disclosure requirements to annuities; amending s. 627.613, F.S.; specifying the period within which a health insurer must notify an insured that a claim is contested or denied and must pay or deny a contested claim; requiring investigation by insurers for improper billing by health care providers; providing for certain rebates to insureds; amending s. 627.662, F.S.; revising requirements for group policies; amending s. 627.9407, F.S.; requiring long-term care policies to provide coverage for at least 24 months for nursing home care; creating s. 627.4134, F.S.; providing requirements for preferred provider networks; creating s. 627.6145, F.S.; requiring disclosure of specific methodology for payment of claims; repealing ss. 627.6375, 627.6695, F.S., relating to contracts for alternative rates of payment; providing for future repeal and review of ss. 627.4134, 627.6145, F.S., pursuant to the Regulatory Sunset Act; providing an effective date.

By the Committee on Commerce and Senator Kirkpatrick—

CS for SB 1580—A bill to be entitled An act relating to disposition of dead bodies; amending s. 245.06, F.S.; providing for cremation of bodies to be disposed of at public expense; amending s. 245.07, F.S.; authorizing counties to arrange for cremation of bodies to be disposed of at public expense; amending s. 245.16, F.S.; providing a penalty for transporting bodies or body parts outside the state; providing an effective date.

By the Committee on Commerce and Senators Jenne and Grant—

CS for SB 1642—A bill to be entitled An act relating to convenience stores; amending s. 812.171, F.S.; revising the definition; amending s. 812.172, F.S.; revising applicability provisions to require statewide uniformity of security standards; providing that general law preempts certain differing security standards; amending s. 812.173, F.S.; requiring that certain security measures be implemented; requiring convenience stores to implement more stringent security measures; amending s. 812.174, F.S.; requiring annual training of employees; amending s. 812.175, F.S.; revising enforcement and fine provisions and establishing a Convenience Store Security Act Trust Fund; providing an effective date.

By the Committee on Commerce and Senator Dudley—

CS for SB 1732—A bill to be entitled An act relating to corporations; amending s. 607.0120, F.S.; revising filing requirements; amending s. 607.0123, F.S.; revising language with respect to the effective time and date of certain documents; amending s. 607.0124, F.S.; revising language with respect to correcting a filed document; amending s. 607.0202, F.S.; deleting certain required information in the articles of incorporation; amending s. 607.0301, F.S.; revising language with respect to the purposes and application of the Florida Business Corporation Act; amending s. 607.0401, F.S.; revising language with respect to the corporate name; amending s. 607.0501, F.S.; eliminating a required report filed by a registered agent; amending s. 607.0502, F.S.; revising language with respect to the resignation of a registered agent; amending s. 607.0601, F.S.; revising language with respect to authorized shares; amending s. 607.0603, F.S.; revising language with respect to outstanding shares; amending s. 607.0620, F.S.; revising language with respect to subscribers who default; amending s. 607.0703, F.S.; revising language with respect to court-ordered meetings; amending s. 607.0704, F.S.; revising language with respect to actions by shareholders without a meeting; amending s. 607.0720, F.S.; revising language with respect to shareholders' list for meeting; amending s. 607.0725, F.S.; providing additional requirements with respect to quorum and voting requirements; repealing s. 607.0727, F.S., relating to shareholder quorum and voting and greater or lesser voting requirements; amending s. 607.0730, F.S.; revising language with respect to voting trusts; amending s. 607.0731, F.S.; revising language with respect to shareholders' agreements; amending s. 607.0804, F.S.; revising language with respect to the election of directors by certain voting groups; amending s. 607.0806, F.S.; revising language with respect to staggered terms for directors; repealing s. 607.0831(6), F.S.; deleting a provision relating to the liability of directors which provided for application to nonprofit corporations; amending s. 607.08401, F.S.; revising language with respect to required officers; amending s. 607.0842, F.S.; providing criteria for the removal of an officer or agent elected by the shareholders; amending s. 607.0901, F.S.; revising language with respect to affiliated transactions; amending s. 607.0902, F.S.; revising language with respect to control-share transactions; amending s. 607.1002, F.S.; providing that the board of directors may adopt an amendment to the articles of incorporation, without shareholder action, to change the par value for a class or series of shares; amending s. 607.1006, F.S.; revising language with respect to articles of amendment; repealing s. 607.1103(7)(c), F.S.; deleting language which provides that action by the shareholders of a surviving corporation is not required with respect to action on a plan under certain circumstances; amending s. 607.1104, F.S.; revising language with respect to the merger of a subsidiary corporation; amending s. 607.1320, F.S.; revising language with respect to the procedure for exercise of dissenters' rights; amending s. 607.1406, F.S.; revising language with respect to claims against a dissolved corporation; amending s. 607.1430, F.S.; revising language with respect to grounds for judicial dissolution; providing specific grounds for judicial dissolution; amending s. 607.1433, F.S.; revising language with respect to judgment of dissolution; amending s. 607.1506, F.S.; revising language with respect to the use of a fictitious name; amending s. 607.1507, F.S.; requiring a filed written statement by certain registered agents; amending s. 607.1508, F.S.; revising language with respect to a registered agent's change of address; amending s. 607.1509, F.S.; revising language with respect to the termination of an agency appointment; amending s. 201.05, F.S.; revising language with respect to the tax on stock certificates; amending s. 617.01201, F.S.; providing that certain documents filed by corporations not for profit must be legible; amending s. 617.0122, F.S.; prescribing fee for filing documents and issuing certificates; amending s. 617.0123, F.S.; revising language with respect to the effective date of a document; amending s. 617.0124, F.S.; revising language with respect to correcting filed documents; amending s. 617.0202, F.S.; providing additional required infor-

mation to be set forth in the articles of incorporation; amending s. 617.0401, F.S.; revising language with respect to the corporate name; amending s. 617.0501, F.S.; revising language with respect to a registered agent; amending s. 617.0502, F.S.; revising language with respect to the resignation of a registered agent; creating s. 617.0503, F.S.; providing for duties of registered agents; amending s. 617.0601, F.S.; revising language with respect to corporation members; amending s. 617.0701, F.S.; revising language with respect to members' meetings; amending s. 617.0721, F.S.; providing for voting by members; creating s. 617.0730, F.S.; providing for required provisions with respect to members of the corporation; amending s. 617.0808, F.S.; revising language with respect to removal of directors; amending s. 617.0833, F.S., relating to loans to directors or officers; amending s. 617.1001, F.S.; providing for amendments to the articles of incorporation; amending s. 617.1002, F.S.; revising language with respect to the procedure for amendments to the articles of incorporation; amending s. 617.1007, F.S.; revising language with respect to restated articles of incorporation; amending s. 617.1401, F.S.; providing that articles of dissolution must be executed in a certain manner; amending s. 617.1433, F.S.; providing for judgment of dissolution; amending s. 617.1504, F.S.; providing an additional set of circumstances requiring an amended certificate of authority; amending s. 617.1506, F.S.; revising language with respect to the corporate name of a foreign corporation; amending s. 617.1507, F.S.; revising language with respect to the registered office and registered agent of a foreign corporation; amending s. 617.1508, F.S.; revising language with respect to change of address of a registered agent; amending s. 617.1509, F.S.; providing for the termination of agency appointments for foreign corporations; amending s. 617.1601, F.S.; revising language with respect to corporate records; creating s. 617.1602, F.S.; providing for inspection of records by members; creating s. 617.1603, F.S.; providing for the scope of the inspection right; creating s. 617.1604, F.S.; providing for court-ordered inspection; creating s. 617.1605, F.S.; providing for financial reports for members; amending s. 617.1622, F.S.; providing for additional information in an annual report; amending s. 617.1623, F.S.; revising language with respect to corporate information available to the public; amending s. 617.1908, F.S.; providing for the applicability of the Business Corporation Act; creating s. 617.2102, F.S.; providing for fines and penalties against members; creating s. 617.2103, F.S.; providing exemptions for certain corporations; amending s. 620.103, F.S.; revising language with respect to the name of a limited partnership; providing an effective date.

By the Committee on Commerce—

CS for SB 1776—A bill to be entitled An act relating to workers' compensation; reenacting and amending s. 440.13(1)(e),(2), F.S., notwithstanding the scheduled repeal of exemptions from the public records law pursuant to the Open Government Sunset Review Act; providing definitions; providing authorization for using formulary drugs; providing for application; exempting medical bills and records that are filed with the Division of Workers' Compensation of the Department of Labor and Employment Security from public inspection requirements; providing for future legislative review of the exemption under the Open Government Sunset Review Act; amending s. 455.241, F.S.; conforming a cross-reference to changes made by the act; prohibiting discrimination; providing an effective date.

By the Committee on Commerce and Senator Jenne—

CS for SB 2036—A bill to be entitled An act relating to exemptions from claims of creditors; providing for review of ss. 121.131, 122.15, 175.241, 222.21, 238.15, F.S., relating to exemption of pension funds; providing for the review of s. 222.14, F.S., relating to exemption of cash surrender value of life insurance policies and annuity contracts from legal process; providing for the review of s. 222.18, F.S., relating to exemption of disability income benefits from legal process; providing for review of s. 222.22, F.S., relating to exemption of moneys in the Prepaid Postsecondary Education Expense Trust Fund from legal process; providing for review of s. 222.11, F.S., relating to exemption of wages from garnishment; providing for review of s. 222.201, F.S., relating to federal bankruptcy exemptions; providing for review of s. 440.22, F.S., relating to exemption of workers' compensation benefits; providing for review of s. 443.051, F.S., relating to exemption of unemployment compensation benefits; providing for review of s. 620.68, F.S., relating to exemption of partnership property; providing for review of s. 632.619, F.S., relating to exemption of fraternal society benefits; providing for review of s. 744.626, F.S., relating to exemption of veterans' benefits; providing for the review of s. 960.14, F.S., relating to crime victims' compensation; providing an effective date.

By the Committee on Commerce and Senators Thurman, Kirkpatrick and Yancey—

CS for SB 2058—A bill to be entitled An act relating to the Motor Fuel Marketing Practices Act; amending s. 526.303, F.S.; revising and providing definitions; amending s. 526.304, F.S.; providing that it is an unlawful predatory practice for a refiner to sell motor fuel at a retail outlet at a price below that the refiner charges to a wholesaler or dealer under contract for like fuel within the same geographic market; amending s. 526.305, F.S.; providing that it is an unlawful discriminatory practice for a refiner to sell motor fuel to a wholesaler at a price higher than it sells to a dealer in competition with any retail outlet supplied by such wholesaler, where the effect is to injure competition; exempting isolated, inadvertent incidents; amending s. 526.308, F.S.; revising provisions that specify unlawful rebates; including rent subsidies and special allowances as forms of unlawful rebates; qualifying an exemption; amending s. 526.311, F.S.; increasing civil penalties for violation of the act; authorizing the Department of Agriculture and Consumer Services to request the Department of Legal Affairs to issue and serve subpoenas to compel the production of documents and records relevant to investigations of violations; providing exemptions from public records requirements for subpoenaed documents and records and for trade secrets and proprietary confidential business information; providing for future review and repeal; revising disposition of funds collected in civil actions by the Department of Legal Affairs; amending s. 526.312, F.S.; specifying grounds for the granting of preliminary injunctive relief with respect to private actions and actions by the Department of Legal Affairs to enforce the act; providing an effective date.

By the Committee on Commerce and Senator Wexler—

CS for SB 2292—A bill to be entitled An act relating to telecommunications services; creating part III of ch. 427, F.S.; creating the "Telecommunications Access System Act of 1991"; providing legislative findings and intent; providing definitions; providing powers and duties of the Florida Public Service Commission; requiring the commission to establish and administer a statewide telecommunications service system for hearing-impaired and speech-impaired persons; authorizing the commission to select a provider of such service; authorizing the commission to impose a surcharge to pay for the costs of such system; providing for collection of the surcharge; providing for a collection allowance; excluding the surcharge from certain taxes; authorizing the commission to adopt rules; requiring the commission to report to the Legislature; providing for administration of a telecommunications service system; providing for appointment of an administrator; providing powers and duties of the administrator; providing for annual audit; requiring the administrator to report to the commission; requiring the commission to appoint an advisory committee; providing for membership, duties, and travel and per diem of the committee; providing exemption from liability; requiring certain public safety and health providers to purchase and operate TDD's; amending s. 229.8361, F.S.; providing additional duties and responsibilities of the Florida Council for the Hearing Impaired; providing an appropriation; repealing ss. 427.501-427.508, F.S., relating to communication services for the deaf; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Thurman, by two-thirds vote **Senate Bills 2108, 1714, 1604, 1956 and 1774** were withdrawn from the committees of reference and further consideration.

On motions by Senator Grant, by two-thirds vote **Senate Bills 1198 and 1200** were removed from the the local bill calendar and further consideration.

On motions by Senator Kurth, by two-thirds vote **Senate Bills 1252, 1308 and 1660** were withdrawn from the committees of reference and further consideration.

On motions by Senator Grizzle, by two-thirds vote **CS for SB 1642 and CS for SB 1602** were withdrawn from the Committee on Community Affairs.

On motions by Senator Gardner, by two-thirds vote **Senate Bills 54, 1462, CS for SB 180 and CS for SB 1542** were withdrawn from the Committee on Appropriations.

On motions by Senator Jenne, by two-thirds vote **SB 840 and CS for SB 1670** were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Thomas, by two-thirds vote **CS for SB 1680** was removed from the calendar and recommitted to the Committee on Education.

On motions by Senator Thomas, by two-thirds vote **CS for HB 417** was withdrawn from the Committee on Executive Business, Ethics and Elections and referred to the Committee on Rules and Calendar.

MOTIONS

On motion by Senator Thomas, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet April 15 at 11:30 a.m. to set the special order calendar for April 16.

On motions by Senator Thomas, the rules were waived and the Committee on Rules and Calendar was granted permission to meet April 16 from 2:00 until 5:00 p.m. to consider **CS for HB 417 and CS for CS for SB's 1042, 142, 366 and 1070**.

On motion by Senator Thomas, the rules were waived and the Committee on Education was granted permission to consider **CS for SB 1680** April 12.

SESSION SCHEDULE CHANGED

On motions by Senator Thomas, the rules were waived and the session schedules for April 15 and 16 were changed as follows: Monday, April 15, the session is cancelled. Tuesday, April 16, the Senate will meet from 9:00 a.m. until 12:00 noon and the afternoon session is cancelled.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed **CS for HB 119, CS for HB 203, HB 255, CS for HB 613, CS for HB 929, HB 1043, HB 1233, CS for HB 1493, HB 2287, HB 2565; has passed as amended CS for HB 457, CS for HB 541, CS for HB 765, HB 967, CS for HB 1023, HB 1401, HB 2233, HB 2283, HB 2483, HB 2485; has adopted HM 335 and requests the concurrence of the Senate.**

John B. Phelps, Clerk

By the Committee on Criminal Justice and Representative Cosgrove—

CS for HB 119—A bill to be entitled An act relating to offenses involving mass transit vehicles and mass transit facilities; amending s. 812.015, F.S.; providing definitions; revising language regarding retail and farm theft; providing that a transit security guard may take into custody and detain a person upon probable cause to believe that such person has committed transit fare evasion; providing that a law enforcement officer may arrest, without warrant, a person for transit fare evasion upon probable cause; providing immunity from liability; amending s. 810.08, F.S., relating to trespass in a structure or conveyance; providing definitions; providing that a transit security guard may take into custody and detain a person upon probable cause to believe that such person has committed or is committing trespass in a mass transit vehicle or mass transit facility; providing immunity from liability; amending s. 810.09, F.S., relating to trespass on property other than a structure or conveyance; providing definitions; providing that a transit security guard may take into custody and detain a person upon probable cause to believe that such person has committed or is committing trespass upon a mass transit facility; providing immunity from liability; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Regulated Services and Technology; and Representative Rudd and others—

CS for HB 203—A bill to be entitled An act relating to radio communication; creating ss. 125.0185 and 166.0435, F.S.; prohibiting counties and municipalities from enacting or enforcing restrictive ordinances governing amateur radio antennas; providing for construction of such antennas in conformance with federal requirements; providing for the application of the act; providing an effective date.

(Substituted for **CS for SB 598** this day.)

By Representative Guber and others—

HB 255—A bill to be entitled An act relating to insurance; amending s. 627.6515, F.S.; requiring a group health insurance policy issued outside the state to provide coverage for mammograms to Florida residents covered under the policy; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Criminal Justice and Representative Valdes and others—

CS for HB 613—A bill to be entitled An act relating to abuse and neglect of certain adult persons; amending s. 415.111, F.S., relating to certain offenses involving abuse or neglect of aged persons or disabled adults, to clarify provisions describing those offenses; amending s. 775.15, F.S., relating to time limitations; increasing the statutes of limitations for certain offenses involving abuse or neglect of aged persons or disabled adults; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Commerce and Representative Wallace—

CS for HB 929—A bill to be entitled An act relating to unclaimed property; amending s. 717.135, F.S.; increasing the time period during which agreements to pay compensation to recover or assist in the recovery of certain property are unenforceable; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Representative Bronson—

HB 1043—A bill to be entitled An act relating to sheriffs; amending s. 30.15, F.S.; providing that attendance of sheriffs or their deputies at county commission meetings shall be at the option of the board of county commissioners rather than mandatory; amending s. 14.022, F.S., to correct a cross reference; providing an effective date.

—was referred to the Committee on Community Affairs.

By Representative Rayson—

HB 1233—A bill to be entitled An act relating to insurance; amending s. 627.674, F.S.; requiring Medicare supplement policies to provide certain benefits; providing that rules of the Department of Insurance may limit the providing of Medicare supplement insurance optional benefits; amending s. 627.6741, F.S.; requiring insurers to offer Medicare supplement policies to all persons who meet certain criteria; requiring return of unearned premium; amending s. 627.6744, F.S.; prohibiting the sale of Medicare supplement policies to persons eligible for Medicaid and certain persons who have other Medicare supplement insurance; amending s. 627.6745, F.S.; requiring Medicare supplement policies to meet specified loss ratio standards; providing for refunds or credits to policyholders; requiring that certain information be available to the public; requiring public hearings prior to approval of premium increases; amending s. 627.6746, F.S.; requiring compliance with the Omnibus Budget Reconciliation Act of 1990; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Commerce and Representative Muscarella—

CS for HB 1493—A bill to be entitled An act relating to secured transactions; amending s. 679.504, F.S.; clarifying that a guarantor of the obligation secured under a secured transaction has the same rights as the debtor has to reasonable notice prior to sale or disposition of the collateral by the secured party after the debtor's default which right cannot be waived prior to default; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

By the Committee on Regulatory Reform and Representatives Tobin and Chinoy—

HB 2287—A bill to be entitled An act relating to the State Board of Education; saving s. 229.053(2)(m), F.S., relating to the state board's duty to create subordinate advisory bodies, from Sundown repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Governmental Operations and Representative Figg—

HB 2565—A bill to be entitled An act relating to confidentiality of records and meetings associated with the regulation of professions; amending ss. 455.217, 455.225, 455.229, 455.241, and 455.247, F.S., which provide exemptions from public records and public meeting requirements for the following: records of, and meetings relating to, examinations; complaints filed with the Department of Professional Regulation, information obtained in investigations, and proceedings of probable cause panels; information required of applicants; patient records obtained by the department; and information relating to injured persons in reports by health care practitioners on professional liability claims and actions; saving said exemptions from repeal; providing for future review and repeal; repealing s. 455.230, F.S., which provides requirements relating to review of examination questions and answers, challenge thereof, and introduction into evidence; revising such requirements as specified in s. 455.229, F.S.; reenacting s. 455.232, F.S., which prohibits disclosure of confidential information and provides a penalty; amending ss. 458.3315, 458.337, 458.339, 458.341, 459.0155, 459.016, 459.017, and 459.018, F.S., which provide exemptions from public records requirements for the following records relating to physicians and osteopathic physicians: information concerning impaired practitioners obtained by the department, consultants, and probable cause panels; reports concerning disciplinary action taken by medical organizations and hospitals; medical reports pertaining to the practitioner; and patient records obtained by the department; amending ss. 460.4104 and 466.022, F.S., which provide exemptions from public records and meeting requirements for patient records and other information obtained by the department in connection with peer review of chiropractic physicians and dentists; amending s. 461.0132, 463.0165, 464.0185, 465.0165, 466.0283, 474.2141, and 490.0095, F.S., which provide exemptions from public records requirements for information concerning impaired practitioners obtained by the department, consultants, and probable cause panels with respect to podiatrists, optometrists, nurses, pharmacists, dentists, veterinarians, and psychologists; amending s. 465.186, F.S., relating to establishment of a formulary of medicinal drug products and dispensing procedures; amending ss. 466.0275 and 474.2185, F.S., which provide exemptions from public records requirements for medical reports pertaining to dentists and veterinarians; reenacting s. 466.041(3), F.S., which provides an exemption from public records requirements for reports regarding hepatitis B carrier status of dentists; reenacting s. 473.316(1)(c), (2), and (3), F.S., relating to confidentiality of communications between an accountant and his client; saving such exemptions from repeal; providing for future review and repeal; repealing s. 476.224, F.S., relating to requirements regarding complaints against barbers filed with the department; providing an effective date.

—was referred to the Committee on Professional Regulation.

By the Committee on Criminal Justice and Representatives Hoffmann and Silver—

CS for HB 457—A bill to be entitled An act relating to obstruction of justice; creating s. 843.085, F.S.; prohibiting unauthorized wearing or display of certain badges, emblems, and other criminal justice indicia of authority; prohibiting unauthorized display on vehicles of certain police-related markings or identifiers; regulating sale or transfer of certain badges and requiring recordkeeping for such transactions; providing exceptions for certain organizations; providing criminal penalties; creating s. 843.081, F.S.; providing legislative intent; prohibiting the use of certain blue lights; providing certain exemptions; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Natural Resources and Representative Rudd and others—

CS for HB 541—A bill to be entitled An act relating to hazardous and biohazardous waste facility permits; amending ss. 403.707 and 403.722, F.S.; requiring applicants for certain hazardous and biohazardous waste permits to notify certain local governments and publish notice in a local newspaper; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Community Affairs.

By the Committee on Judiciary and Representative Davis and others—

CS for HB 765—A bill to be entitled An act relating to the Board of Regents; amending s. 240.215, F.S.; providing that employees or agents of the Board of Regents shall not be determined to be agents of other persons in civil actions resulting from certain acts or omissions; providing an effective date.

—was referred to the Committees on Education and Judiciary.

By Representative Grindle—

HB 967—A bill to be entitled An act relating to "The Motor Vehicle Retail Sales Finance Act"; amending s. 520.085, F.S.; revising provisions relating to finance charges with respect to a retail installment contract representing the sale of a motor vehicle primarily for business or commercial purposes; providing an effective date.

—was referred to the Committees on Commerce and Professional Regulation.

By the Committee on Transportation and Representatives Bronson and Sindler—

CS for HB 1023—A bill to be entitled An act relating to road and building designations; designating a portion of State Road 40 in Marion County as the "Armand Keith Lovell Memorial Highway"; directing the Department of Transportation to erect suitable markers; designating a portion of U.S. Highway 441 in Marion County as the "Jane Yongue Wood Memorial Highway"; directing the Department of Transportation to erect suitable markers; designating a portion of roadway in Dade County as the "Carlos Arboleya Boulevard"; designating a portion of roadway in Dade County as the "Olga Guillot Way"; directing the Department of Transportation to erect suitable markers; designating U.S. Highway 1 from the City of Key West to the Georgia state line as the POW-MIA Blue Star Highway; amending sections 5 and 6 of chapter 90-368, Laws of Florida, designating the bridge over the Suwannee River on U.S. Highway 27 at Branford as the Frank R. Norris Bridge at Branford; designating the transportation complex on Marion Street in Lake City as the Jay W. Brown Transportation Complex; designating a portion of N.W. 54th Street in Miami as the Jefferson Reaves, Sr. Boulevard; directing the Department of Transportation to erect appropriate markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Geller—

HB 1401—A bill to be entitled An act relating to insurance; amending ss. 627.311 and 627.351, F.S.; requiring joint underwriting plans for motor vehicle insurance to provide a list of insureds under certain circumstances; prohibiting such plans from offering certain discounts or inducements; amending s. 627.4143, F.S. requiring the outline of coverage for private passenger motor vehicle insurance to include information on coverage of collision damage to rental vehicles; requiring such information to be included on the proof-of-insurance cards; providing an effective date.

—was referred to the Committee on Commerce.

By Representative Harris—

HB 2233—A bill to be entitled An act relating to bonds of county officers; amending s. 137.05, F.S.; revising the required meeting times of county commissions for the purpose of examining the sufficiency of the bonds of county officers; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committee on Public Schools and Representative Davis and others—

HB 2283—A bill to be entitled An act relating to education; amending s. 228.061, F.S.; deleting provisions relating to nursery schools and providing for preschool programs; amending s. 230.2305, F.S.; revising provisions relating to the prekindergarten early intervention program; deleting obsolete language; revising requirements for plan approval; revising requirements relating to the use of funds; amending s. 230.2312, F.S.; revising provisions relating to promotion from the Florida Primary Education Program; amending ss. 231.1713 and 402.3057, F.S.; providing that noninstructional personnel need not be fingerprinted under certain circumstances; amending s. 232.01, F.S.; revising school attendance provisions for pregnant students, parents, and certain handicapped children;

amending s. 232.045, F.S.; providing eligibility for admission to preschool programs; repealing s. 232.05, F.S., relating to eligibility for nursery schools; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Regulatory Reform and Representatives Tobin and Mortham—

HB 2483—A bill to be entitled An act relating to education; amending ss. 20.15, 231.24, 233.07, 233.08, 233.09, 233.095, 233.10, 233.11, 233.115, 233.14, 233.16, 233.25, and 233.48, F.S.; changing instructional materials councils to instructional materials committees; revising provisions relating to appointment and terms of committee members; revising items defined as instructional materials; revising certain committee duties; revising provisions relating to duties, responsibilities, and requirements of publishers and manufacturers of instructional materials to provide for delivery of specimen copies of instructional materials; revising provisions relating to submission of certain instructional materials information; repealing s. 233.14(3), F.S., relating to specimen copies and samples of printed and nonprint instructional materials upon which bids or proposals are based; saving ss. 233.07-233.15, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Regulatory Reform and Representatives Tobin and Mortham—

HB 2485—A bill to be entitled An act relating to the Community Hospital Education Council; amending s. 381.503, F.S.; revising the composition of the Community Hospital Education Council; providing for the length of terms for council members; abrogating the repeal of s. 381.503(5), F.S., scheduled pursuant to the Sundown Act; providing for future legislative review and repeal of s. 381.503(5), F.S.; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Representative Long and others—

HM 335—A memorial to the Congress of the United States, urging Congress to propose an amendment to the Constitution of the United States relating to the physical desecration of the American Flag.

—was referred to the Committee on Rules and Calendar.

RETURNING MESSAGES ON SENATE BILLS

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed with amendments CS for SB 2126 and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 2126—A bill to be entitled An act relating to fiscal affairs of the state; amending s. 161.091, F.S., relating to the Beach Management Trust Fund; eliminating funds from the State Infrastructure Fund for beach management purposes; amending s. 201.15, F.S.; providing for the distribution of revenues from the state excise tax on documents to the General Revenue Fund and the Land Acquisition Trust Fund rather than the State Infrastructure Fund and increasing the amounts to be distributed to the Land Acquisition Trust Fund; amending s. 212.0606, F.S.; providing for distribution of the proceeds of rental car surcharges to specified funds; amending s. 212.20, F.S.; eliminating distribution of revenues from the state tax on sales, use, and other transactions to the State Infrastructure Fund; providing for distribution thereof to the General Revenue Fund; amending s. 212.69, F.S.; increasing the amount of the proceeds to be distributed annually from the State Transportation Trust Fund; specifying purposes for which such distribution may be used; amending s. 215.32, F.S.; eliminating the State Infrastructure Fund as a fund in the State Treasury; requiring certain annual appropriations of general revenue for certain state-level purposes; amending s. 216.016, F.S.; eliminating the State Infrastructure Fund as a source for certain projects; amending s. 216.167, F.S.; eliminating the State Infrastructure Fund from the Governor's consideration regarding his budget recommendations; amending s. 320.072, F.S.; providing for disposition of proceeds from additional fees imposed on certain motor vehicle registration transactions; amending s. 366.84, F.S.; restricting the Florida Energy Trust Fund to the sole purpose of subsidizing and guaranteeing loans made

prior to July 1, 1991; amending s. 24.121, F.S.; increasing the percentage of lottery revenues allocated to the Educational Enhancement Trust Fund; amending s. 259.101, F.S.; providing for the distribution of proceeds in the Preservation 2000 Trust Fund; amending s. 253.025, F.S.; increasing funds for acquisition of lands from the Resolution Trust Corporation; amending s. 373.459, F.S.; removing the requirement for funds to be continually appropriated; changing the cost sharing from the Surface Water Improvement and Management Trust Fund; repealing s. 195.094, F.S., relating to the Property Assessment Loan Fund; repealing s. 212.235, F.S., relating to the State Infrastructure Fund; repealing s. 216.175, F.S., relating to State Infrastructure Fund appropriations; reappropriating certain funds; appropriating money for transfer to the Department of Highway Safety and Motor Vehicles to offset an anticipated deficit in the Law Enforcement Trust Fund; providing an effective date.

House Amendment 1—Strike everything after the enacting clause and insert:

Section 1. Subsection (1) of section 161.091, Florida Statutes, is amended to read:

161.091 Beach Management Trust Fund.—

(1)(a) There is created in the State Treasury an account to be known as the "Beach Management Trust Fund." Subject to such appropriations as the Legislature may make therefor from time to time, disbursements from this account may be made by the division subject to the approval of the department in order to carry out the proper state responsibilities in a comprehensive, long-range, statewide beach management plan for erosion control; beach preservation, beach restoration, and beach renourishment; and hurricane protection. The Beach Management Trust Fund and the moneys deposited therein shall be under the direct supervision and control of the department, and such moneys may be disbursed by the Treasurer from time to time upon requisition as determined by the department.

~~(b) Beginning in fiscal year 1988-1989 and annually thereafter at least \$35 million shall be available from the State Infrastructure Trust Fund for the purposes provided in paragraph (a).~~

Section 2. Subsections (1) and (5) of section 201.15, Florida Statutes, 1990 Supplement, are amended to read:

201.15 Distribution of taxes collected.—All taxes collected under the provisions of this chapter shall be distributed as follows:

(1) Seventy and four-tenths percent of the total taxes collected under the provisions of this chapter shall be used for the following purposes:

(a) Subject to the maximum amount limitations set forth in this paragraph, an amount as shall be necessary to pay the debt service on, or fund debt service reserve funds, rebate obligations, or other amounts with respect to bonds issued pursuant to s. 375.051 and payable from moneys transferred to the Land Acquisition Trust Fund pursuant to this paragraph shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund to be used for such purposes. The amount transferred to the Land Acquisition Trust Fund shall not exceed \$30 million in fiscal year 1991-1992, \$90 \$60 million in fiscal year 1992-1993, \$120 \$90 million in fiscal year 1993-1994, \$150 \$120 million in fiscal year 1994-1995, \$180 \$150 million in fiscal year 1995-1996, \$210 \$180 million in fiscal year 1996-1997, \$240 \$210 million in fiscal year 1997-1998, \$270 \$240 million in fiscal year 1998-1999, and \$300 \$270 million in fiscal year 1999-2000 and thereafter. No individual series of bonds may be issued pursuant to this paragraph unless the first year's debt service for such bonds is specifically appropriated in the General Appropriations Act. No moneys transferred to the Land Acquisition Trust Fund pursuant to this paragraph, or earnings thereon, shall be used or made available to pay debt service on the Department of Natural Resources Save Our Coast revenue bonds.

(b) The remainder of the moneys distributed pursuant to this subsection, after the required payment under paragraph (a), shall be paid into the State Treasury to the credit of the General Revenue Fund of the state to be used and expended for the purposes for which the General Revenue Fund was created and exists by law.

(5) Four and six-tenths percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury:

(a) For fiscal year 1991-1992, to the credit of the General Revenue Fund; and

(b) Thereafter, to the credit of the Land Acquisition Trust Fund State Infrastructure Trust Fund.

Section 3. Subsection (2) of section 212.0606, Florida Statutes, 1990 Supplement, as amended by chapters 90-132 and 90-136, Laws of Florida, is amended to read:

212.0606 Rental car surcharge.—

(Substantial rewording of subsection. See s. 212.0606(2), F.S., 1990 Supp., for present text.)

(2) Notwithstanding the provisions of s. 212.20, and less costs of administration, 75 percent of the proceeds of this surcharge shall be deposited in the State Transportation Trust Fund, 5 percent of the proceeds of this surcharge shall be deposited in the General Revenue Fund, 15.75 percent of the proceeds of this surcharge shall be deposited in the Tourism Promotion Trust Fund, and 4.25 percent of the proceeds of this surcharge shall be deposited in the Florida International Trade and Promotion Trust Fund. For the purposes of this subsection, "proceeds" of the surcharge means all funds collected and received by the department under this section, including interest and penalties on delinquent surcharges.

Section 4. Paragraph (g) of subsection (6) of section 212.20, Florida Statutes, 1990 Supplement, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this part shall be as follows:

(g) The proceeds of all other taxes and fees imposed pursuant to this part shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5 percent of all other taxes and fees imposed pursuant to this part shall be deposited in monthly installments into the General Revenue Fund. ~~The greater of five percent or the sums sufficient to provide the maximum amount specified in s. 212.235(1) shall be transferred to the State Infrastructure Fund.~~

2. Two-tenths of one percent shall be transferred to the Solid Waste Management Trust Fund.

3. Of the remaining proceeds, 9.888 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund.

4. All other proceeds shall remain with the General Revenue Fund.

Section 5. Section 215.32, Florida Statutes, is amended to read:

215.32 State funds; segregation.—

(1) All moneys received by the state shall be deposited in the State Treasury unless specifically provided otherwise by law and shall be deposited in and accounted for by the Treasurer and the Department of Banking and Finance within the following funds, which funds are hereby created and established:

(a) General Revenue Fund.;

(b) Trust funds.;

(c) Working Capital Fund.;

~~(d) State Infrastructure Fund.~~

(2) The source and use of each of these funds shall be as follows:

(a) The General Revenue Fund shall consist of all moneys received by the state from every source whatsoever, except as provided in paragraphs (b) and (c). Such moneys shall be expended pursuant to General Revenue Fund appropriations acts or transferred as provided in paragraph (c). *Annually, at least 5 percent of the estimated increase in General Revenue Fund receipts for the upcoming fiscal year over the current year General Revenue Fund effective appropriations shall be appropriated for state-level capital outlay, including infrastructure improvement and general renovation, maintenance, and repairs.*

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The Administration Commission shall have the power and authority to approve the establishment of any trust fund it deems necessary to preserve the integrity of any moneys received or collected by a state agency for a specific use or purpose authorized by law. The state agency receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law.

2. In order to maintain a minimum number of trust funds in the State Treasury, each state agency may consolidate, if permitted under the terms and conditions of their receipt, the trust funds administered by it; provided, however, the agency employs effectively a uniform system of accounts sufficient to preserve the integrity of such trust funds; and provided, further, that such consolidation is approved by the Administration Commission.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

(c)1. The Working Capital Fund shall consist of an amount, not more than 10 percent of the amount of net revenue of the General Revenue Fund for the preceding fiscal year, which accrues from moneys in the General Revenue Fund which are in excess of the amount needed to meet the General Revenue Fund appropriations acts, as determined by the Executive Office of the Governor. Such moneys are hereby appropriated for transfer to the General Revenue Fund whenever it is determined by the Administration Commission that revenue collections in the General Revenue Fund will be insufficient to meet General Revenue Fund appropriations and when the Administration Commission determines, after consultation with the legislative appropriations committees, that it would be more prudent to transfer the Working Capital Funds than to reduce general revenue approved budget and release authority pursuant to s. 216.221. When not required to meet General Revenue Fund appropriations, such moneys shall be used as a revolving fund for transfers as provided by s. 215.18; and when the Comptroller determines that such moneys are not needed for either type of transfer, they may be temporarily invested as provided in s. 18.125.

2. The provisions of subparagraph 1. notwithstanding, the Comptroller shall pay from the Working Capital Fund such claims as are authorized pursuant to s. 265.55.

~~(d) The State Infrastructure Fund shall consist of all moneys received from proceeds earmarked for this fund pursuant to ss. 201.15 and 212.20. Such moneys shall only be expended pursuant to legislative appropriations for infrastructure facilities listed in s. 212.235(2).~~

Section 6. Subsection (2) of section 216.016, Florida Statutes, is amended to read:

216.016 Evaluation of plans; determination of financing method.—

(2)(a) The Executive Office of the Governor shall develop a finance plan for meeting the state's infrastructure and fixed capital outlay needs.

(b) The Division of Bond Finance of the Department of General Services shall work with the Executive Office of the Governor and all agencies to determine the most cost-beneficial and effective financing methods for the satisfaction of the capital facility needs described or identified in the state comprehensive plan for facility needs.

~~(c) The Executive Office of the Governor shall develop policies and criteria to determine which fixed capital outlay projects, maintenance projects, and transportation projects should be paid for out of the State Infrastructure Fund established by s. 212.235.~~

Section 7. Subsections (1), (2), and (3) of section 216.167, Florida Statutes, are amended to read:

216.167 Governor's recommendations.—The Governor's recommendations shall include a financial schedule which shall provide:

(1) His estimate of the recommended recurring revenues available in the Working Capital Fund, ~~the State Infrastructure Fund,~~ and the General Revenue Fund.

(2) His estimate of the recommended nonrecurring revenues available in the Working Capital Fund, ~~the State Infrastructure Fund,~~ and the General Revenue Fund.

(3) His recommended recurring and nonrecurring appropriations from the Working Capital Fund, ~~the State Infrastructure Fund,~~ and the General Revenue Fund.

Section 8. Subsection (5) of section 320.072, Florida Statutes, 1990 Supplement, is amended to read:

320.072 Additional fees imposed on certain motor vehicle registration transactions.—

(5) A tax collector or other duly authorized agent of the department shall promptly remit all moneys collected pursuant to this section, less any refunds granted pursuant to subsection (4), to the department. The department shall deposit ~~30 percent of~~ such moneys as they are received as follows:

(a) *Thirty percent of the proceeds of the fee imposed pursuant to paragraph (1)(a) into the General Revenue Fund, and Law Enforcement Trust Fund of the Department of Highway Safety and Motor Vehicles.* the remainder of the proceeds, after deducting the service charges charge imposed by s. 215.20, ~~shall be deposited~~ into the State Transportation Trust Fund.

(b) *The proceeds of the fee imposed pursuant to paragraph (1)(b) into the General Revenue Fund.*

Section 9. Section 373.459, Florida Statutes, is amended to read:

373.459 Surface Water Improvement and Management Trust Fund.—

(1) There is created, within the department, the Surface Water Improvement and Management Trust Fund to be used as ~~a nonlapsing fund for the deposit of funds appropriated by the Legislature for the purposes of ss. 373.451-373.4595 and are not subject to the provisions of s. 216.304.~~ The department shall administer all funds appropriated to or received for the Surface Water Improvement and Management Trust Fund. ~~The moneys in the Surface Water Improvement and Management Trust Fund are continually appropriated for the purposes of ss. 373.451-373.4595.~~ Expenditure of the moneys shall be limited to the costs of detailed planning for and implementation of programs prepared for priority surface waters. Moneys from the fund shall not be expended for planning for, or construction or expansion of, treatment facilities for domestic or industrial waste disposal.

(2) The secretary of the department shall authorize the release of money from the Surface Water Improvement and Management Trust Fund within 30 days after receipt of a request adopted by the governing board of a water management district or by the executive director when authority has been delegated by the governing board, certifying that the money is needed for detailed planning for or implementation of plans approved pursuant to ss. 373.425, 373.453, 373.455, and 373.456. A water management district may not receive more than 50 percent of the moneys in the Surface Water Improvement and Management Trust Fund in any fiscal year unless otherwise provided for by law. Beginning in fiscal year 1990-1991, and each year after funds are appropriated, each water management district shall receive the amount requested pursuant to s. 373.453(4) or 10 percent of the money in the appropriation, whichever is less. The department shall allocate the remaining money in the appropriation annually, based upon the specific needs of the districts. The department, at its discretion, may include any funds allocated to a district in previous years which remain unencumbered by the district on July 1, to the amount of money to be distributed based upon specific needs of the districts.

(3) The amount of money that may be released to a water management district from the Surface Water Improvement and Management Trust Fund for approved plans, or continuations of approved plans, to improve and manage the surface waters described in ss. 373.451-373.4595 is limited to not more than ~~60~~ 80 percent of the amount of money necessary for the approved plans. The district shall provide at least ~~40~~ 20 percent of the amount of money necessary for the plans.

(4) Moneys in the trust fund which are not needed to meet current obligations incurred under this section shall be transferred to the State Board of Administration, to the credit of the trust fund, to be invested in the manner provided by law. Interest received on such investments shall be credited to the trust fund.

Section 10. *Sections 195.094 and 216.175, Florida Statutes, and section 212.235, Florida Statutes, as amended by chapters 87-548, 88-119, 88-376, 88-557, 89-255, 89-356, 90-203, and 90-217, Laws of Florida, are hereby repealed.*

Section 11. *There are hereby appropriated from the General Revenue Fund amounts equal to the amounts of any appropriations made during the 1990 Regular Session of the Legislature from the State Infrastructure Fund that were not released before July 1, 1991, or that were released but not expended before July 1, 1991; however, such appropriations shall be immediately subject to the reversion and certification provisions of s. 216.301, Florida Statutes.*

Section 12. (1) *Notwithstanding s. 413.613, Florida Statutes, there is hereby appropriated \$10 million from the Impaired Drivers and Speeders Trust Fund to the credit of the Department of Highway Safety and Motor Vehicles for transfer to the Law Enforcement Trust Fund for fiscal year 1990-1991, due to an anticipated deficit in the Law Enforcement Trust Fund.*

(2) *The Executive Office of the Governor is authorized to ensure that the amount transferred to the Law Enforcement Trust Fund under this section does not exceed the actual deficit amount in the Law Enforcement Trust Fund. All appropriated amounts in excess of the actual deficit amount shall revert to the Working Capital Fund.*

Section 13. This act shall take effect July 1, 1991, except that this section and section 12 shall take effect upon this act becoming a law.

House Amendment 2—Strike the title and insert:

A bill to be entitled An act relating to fiscal affairs of the state; amending s. 161.091, F.S., relating to the Beach Management Trust Fund; eliminating funds from the State Infrastructure Fund for beach management purposes; amending s. 201.15, F.S.; providing for the distribution of revenues from the state excise tax on documents to the General Revenue Fund and the Land Acquisition Trust Fund rather than the State Infrastructure Fund; increasing certain annual caps on transfers to the Land Acquisition Trust Fund; amending s. 212.0606, F.S.; providing for distribution of the proceeds of rental car surcharges to specified funds; amending s. 212.20, F.S.; eliminating distribution of revenues from the state tax on sales, use, and other transactions to the State Infrastructure Fund; providing for distribution thereof to the General Revenue Fund; amending s. 215.32, F.S.; eliminating the State Infrastructure Fund as a fund in the State Treasury; requiring certain annual appropriations of general revenue for certain state-level purposes; amending s. 216.016, F.S.; eliminating the State Infrastructure Fund as a source for certain projects; amending s. 216.167, F.S.; eliminating the State Infrastructure Fund from the Governor's consideration regarding his budget recommendations; amending s. 320.072, F.S.; providing for disposition of proceeds from additional fees imposed on certain motor vehicle registration transactions; amending s. 373.459, F.S.; removing the requirement for funds to be continually appropriated; changing the cost sharing from the Surface Water Improvement and Management Trust Fund; repealing s. 195.094, F.S., relating to the Property Assessment Loan Fund; repealing s. 212.235, F.S., relating to the State Infrastructure Fund; repealing s. 216.175, F.S., relating to State Infrastructure Fund appropriations; reappropriating certain funds; appropriating money for transfer to the Department of Highway Safety and Motor Vehicles to offset an anticipated deficit in the Law Enforcement Trust Fund; providing effective dates.

Senator Gardner moved the following amendments which were adopted:

Senate Amendment 1 to House Amendment 1—On page 2, strike all of lines 20 and 21 and insert: Trust Fund shall not exceed \$90 \$30 million in fiscal year 1991-1992, \$60 million in fiscal year 1992-1993, \$120 \$90

Senate Amendment 2 to House Amendment 1—On page 11, strike all of lines 3-10 and insert:

Section 11. There are hereby appropriated from the General Revenue Fund amounts equal to the amounts of any appropriations made for fixed capital outlay during the 1990 Regular Session of the Legislature from the State Infrastructure Fund which were not released before July 1, 1991, or which were released but not expended before July 1, 1991; however, such appropriations shall be subject to reversion and certification under section 216.301(3)(a), Florida Statutes, based on the date of the original appropriations from the State Infrastructure Fund.

Senate Amendment 3 to House Amendment 1—On page 11, between lines 23 and 24, insert:

Section 13. The unencumbered balance of funds in the Property Assessment Loan Fund on July 1, 1991, is hereby appropriated to the Working Capital Fund.

Senate Amendment 4 to House Amendment 1—On page 11, between lines 24 and 25, insert:

Section 13. Subsection (2) of section 24.121, Florida Statutes, is amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(2) Each fiscal year, at least 38 37.5 percent of the gross revenue from the sale of lottery tickets and other earned revenue, excluding application processing fees, shall be deposited in the Educational Enhancement Trust Fund, which is hereby created in the State Treasury to be administered by the Department of Education. The Department of the Lottery shall transfer moneys to the Educational Enhancement Trust Fund at least once each quarter. Funds in the Educational Enhancement Trust Fund shall be used to the benefit of public education in accordance with the provisions of this act.

(Renumber subsequent sections.)

Senate Amendment 1 to House Amendment 2—In title, on page 2, line 29, after the semicolon (;) insert: amending s. 24.121, F.S.; increasing the percentage of lottery revenues allocated to the Educational Enhancement Trust Fund;

Senate Amendment 2 to House Amendment 2—In title, on page 1, strike line 24 and insert: Fund; specifying annual caps on

Senate Amendment 3 to House Amendment 2—In title, on page 2, line 29, after the semicolon (;) insert: appropriating the unencumbered balance of the Property Assessment Loan Fund;

On motions by Senator Gardner, the Senate concurred in the House amendments as amended and the House was requested to concur in the Senate amendments to the House amendments.

CS for SB 2126 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36 Nays—None

AMENDMENTS TO SENATE BILLS

CS for CS for SB's 1042, 142, 366 and 1070

Senator Gordon moved the following amendments which were adopted:

Amendment 1—On page 56, between lines 19 and 20, insert:

Section 15. Subsection (1) of section 876.05, Florida Statutes, is amended to read:

876.05 Public employees; oath.—

(1) ~~All persons who now or hereafter are employed by or who now or hereafter are on the payroll of~~ The state, or any of its departments and agencies, subdivisions, counties, cities, school boards and districts of the free public school system of the state or counties, or institutions of higher learning ~~may require all persons who now or hereafter are employed by or who now or hereafter are on the payroll and all candidates for public office, and all candidates for public office, are required~~ to take an oath, except as otherwise provided by state or federal law, before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:

~~I, . . . , a citizen of the State of Florida and of the United States of America, and being employed by or an officer of . . . and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.~~

(Renumber subsequent sections.)

Amendment 2—In title, on page 3, line 17, after the semicolon (;) insert: amending s. 876.05, F.S.; revising language with respect to the loyalty oath required of public employees;

Amendment 3—On page 56, between lines 22 and 23, insert a new Section 15 to read as follows:

Section 15. Section 350.0650, Florida Statutes, is amended by adding a new subsection (3) to read as follows:

(3) For a period of two years following termination of service on the commission, no former member shall accept employment by or compensation from any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, from any public utility regulated by the commission, or from any business entity which, either directly or indirectly, is an affiliate, subsidiary or representative of any public utility regulated by the commission. Should it be determined by any court of competent jurisdiction that the provisions of this subsection shall not apply to commissioners serving on the effective date hereof, and in the event that a member of the commission shall accept such employment otherwise prohibited hereby, the employer shall file with the commission and with the office of the public counsel a complete list of all dockets in which said former member shall have participated wherein the employer had an interest in or represented a company which had an interest in said dockets.

(Renumber subsequent sections.)

Amendment 4—In title, on page 3, line 17, after the semicolon (;) insert: amending Section 350.0650, F.S.; providing restrictions on employment by former Public Service Commissioners for a period of two years;

Senator Langley moved the following amendments which were adopted:

Amendment 5—On page 56, between lines 22 and 23, insert:

Section 16. The provisions of this act shall apply only to incidents and complaints occurring on or after the effective date of this act.

(Renumber subsequent sections.)

Amendment 6—In title, on page 3, line 17, after the semicolon (;) insert: providing for prospective application;

Amendment 7—On page 7, strike all of lines 9 and 10 and insert:

1. Salary, benefits, services, fees, commissions, gifts or expenses associated exclusively with the recipient's employment or business.

Amendment 8—On page 11, line 26, after "business" insert: *or when such offices are on property wholly or partially owned by the legislator*

Senators Johnson and Langley offered the following amendment which was moved by Senator Johnson and adopted:

Amendment 9—On page 7, line 27, after "transportation" insert: including parking fees

Senators Johnson, Malchon and Wexler offered the following amendment which was moved by Senator Johnson and adopted:

Amendment 10—On page 7, between lines 28 and 29, insert:

9. *Any expenses associated with service provided by a federal or state appointing agency or a charitable organization that is exempt under the United States Internal Revenue Code.*

Senator Kirkpatrick moved the following amendment:

Amendment 11—On page 7, line 27, after "expense" insert: *for medical emergencies or any transportation expense*

SB 1092

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 6, between lines 25 and 26, insert:

Section 10. Construction moratorium.—A developer or other person may not be granted a building permit to construct anywhere on Santa Rosa Island any structure unless it can be shown that the construction is economically feasible. The construction is presumed to be economically feasible if the developer or other person presents documentation that adequate financing has been secured to complete the project.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 27, following the semicolon (;) insert: providing a moratorium on the issuance of building permits for construction of a structure on a specified portion of Santa Rosa Island unless it can be shown that the construction is economically feasible;

SB 1094

Senator Kurth moved the following amendment which was adopted:

Amendment 1—On page 4, strike all of lines 11-13

SB 1274

Senator Gardner moved the following amendment which was adopted:

Amendment 1—Strike everything after the enacting clause and insert:

Section 1. Section 20 is added to chapter 28924, Laws of Florida, 1953, as amended, to read:

Section 20. The North Brevard County Hospital District Board is hereby authorized and empowered:

(1) To the extent permitted by the Constitution and laws of this state, to establish, operate, and support a not-for-profit support corporation to assist the hospital board in fulfilling its declared public purpose of provision for the healthcare needs of the people of the hospital district and the financial stability and well-being of Parrish Medical Center through physician recruitment, patient acquisition, and the providing of medical goods and services; to accomplish such establishment, operation, or support of such not-for-profit support corporation by means of the lending of funds at reasonable rates of interest, leases of real or personal property at reasonable rental rates, grants of funds or guarantees of indebtedness of such not-for-profit support corporation. The establishment, operation, or support of a not-for-profit support corporation is hereby found and declared to be a public purpose and necessary for the preservation of the public health and for a public use and for the welfare of the hospital board and people of the hospital district. It is the intent of the Legislature to authorize the formation of the support corporation described in this section to further the interests of the residents of the North Brevard County Hospital District in maintaining the financial well-being of Parrish Medical Center by providing for the delivery, financing, and support of hospital and nonhospital healthcare services and related activities to the extent consistent with the financial, patient acquisition, and development needs of the North Brevard County Hospital District.

(2) Notwithstanding the foregoing grant of authority and powers, the North Brevard County Hospital District Board shall expend funds to the support corporation of the North Brevard County Hospital District only in accordance with the following provisions:

(a) That the disbursement of any funds by the North Brevard County Hospital District in any form authorized by this act shall only be pursuant to a resolution specifying the healthcare related activity for which such funds are to be applied and adopted at any regular or special public meeting of the North Brevard County Hospital District Board.

(b) That the maximum allowable amount of funds which the North Brevard County Hospital District shall be authorized to expend to or for the benefit of the support corporation of the North Brevard County Hospital District either in the form of grants, capital or equity contributions, or loans at reasonable rates of interest shall not exceed in any fiscal year the lesser of the net revenue of the North Brevard County Hospital District for its preceding fiscal year, or 2 1/2 percent of the gross revenue of the North Brevard County Hospital District for its preceding fiscal year; provided further, that any public tax revenue of the North Brevard County Hospital district shall be disregarded in the foregoing formula and such tax revenue shall only be applied to indigent care and the purchase of capital improvements or capital equipment to be owned by the North Brevard County Hospital District.

(c) That the support corporation of the North Brevard County Hospital District shall, consistent with the requirements of chapter 119, Florida Statutes, submit to the hospital board and to public inspection all records except to the extent not exempt from the requirements of chapter 119, Florida Statutes, or except to the extent that any private individual or organization having contractual privity with such support corporation has prohibited disclosure in order to maintain the confidentiality of proprietary information of such private individual or organization.

(d) That the support corporation of the North Brevard County Hospital District shall, consistent with the requirements of chapter 286, Florida Statutes, conduct all meetings open to the public except and only to the extent a meeting is scheduled and conducted in executive session in order to discuss the following:

(e) That the support corporation of the North Brevard County Hospital District shall, at least annually, present a report to the City Council of the City of Titusville and a report to the District One (1) County Commissioner of the Brevard County Board of County Commissioners and conduct a public meeting to advise the general public as to its activities in conjunction with and in support of the North Brevard County Hospital District.

(f) That the support corporation of the North Brevard County Hospital District shall, consistent with the procedures and requirements of s. 11.45, Florida Statutes, submit to the hospital board and to public inspection, an annual financial report certified by an independent certified public accountant.

(g) That the support corporation of the North Brevard County Hospital District shall adopt and maintain without amendment in its articles of incorporation and corporation bylaws, the following express provisions:

1. That the support corporation shall exist and conduct its affairs solely to benefit and further the interests of the North Brevard County Hospital District;

2. That membership in the support corporation shall consist of the following seven voting and nonvoting directors who shall hold office for a 2-year term and may be reappointed:

a. The Chairman of the North Brevard County Hospital District, or his designee who is a member of the North Brevard County Hospital District Board of Directors;

b. The Chairman of the Jess Parrish Medical Foundation, Inc., Board of Directors, or his designee who is a member of the Jess Parrish Medical Foundation, Inc., Board of Directors;

c. The Chief Executive Officer of Parrish Medical Center;

d. Two residents of the North Brevard County Hospital District who shall be elected by a majority vote of the other voting directors and who shall not be members of the North Brevard County Hospital District Board of Directors or employees of Parrish Medical Center;

e. One ex officio nonvoting director appointed by the City Council of the City of Titusville and who shall be a resident of the City of Titusville and not a member of the North Brevard County Hospital District Board of Directors; and

(h) One ex officio nonvoting director appointed by the District One (1) Commissioner of the Board of County Commissioners of Brevard County, Florida, and who shall be a resident of District One (1) and not a member of the North Brevard County Hospital District Board of Directors.

That the officers and the directors of the support corporation shall comply with all the State of Florida requirements for financial disclosure, provisions for voting on conflicts and reporting of gifts as is provided by chapters 112, 119, and 286, Florida Statutes, except as provided herein.

3. That the support corporation shall be expressly prohibited from distributing or providing any financial benefit to or for any director or officer other than reimbursement of reasonable expenses incurred except reasonable compensation for services rendered by the executive director employed by the support corporation;

4. That the support corporation shall be expressly prohibited from employing or otherwise compensating in any manner any current member of the North Brevard County Hospital District Board of Directors or any person who has been a former member of the North Brevard County Hospital District Board of Directors for a period of less than 3 years; and

5. That the support corporation shall be expressly prohibited from conducting or carrying on propaganda or otherwise attempting to influence the Legislature, or intervening in any political campaign on behalf of any candidate for public office, or any other activity not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or any other corresponding provisions of any future Internal Revenue law).

(i) That the support corporation of the North Brevard County Hospital District shall not in any event adopt any amendment to its articles of incorporation or corporation bylaws inconsistent with the provisions of paragraph (g) or adopt any amendment otherwise permitted until a public notice of such amendment is published in accordance with s. 11.02, Florida Statutes, and shall further not implement any such amendment in the event a public referendum is initiated by the signed petition of at least 10 percent of the registered electors residing in the North Brevard County Hospital District within such notice period and in accordance with the procedures of s. 100.371, Florida Statutes.

(j) That the support corporation of the North Brevard County Hospital District shall adopt and maintain without amendment its articles of incorporation and corporation bylaws, a provision that in the event of the disposition of any surplus or abandoned property by or dissolution of such support corporation, then such property or residual assets shall revert back and be distributed to the North Brevard County Hospital District or its lawful successor.

(k) To the extent of assets and other financial support transferred to or provided to the support corporation by the North Brevard County Hospital District, the support corporation shall be required to provide toward charity care, indigent care, and Medicaid, not less than the same percentage of such support corporation's financial support as received from the North Brevard County Hospital District as equals the percentage provided directly by the North Brevard County Hospital District itself toward charity care, indigent care, and Medicaid.

Further and notwithstanding the foregoing grant of authority and powers, nothing under any authorization granted by chapter 28924, Laws of Florida, 1953, as amended, shall authorize or permit any transfer or delegation by the North Brevard Hospital District Board of any ownership, lease, management, control, and operating authority of the North Brevard Hospital District Board to any subsidiary, affiliate, or other entity except as to assets transferred to the support corporation, as provided for in this section 20, and any other such transfer or delegation is expressly prohibited.

Section 2. This act shall take effect upon becoming a law.

SB 1710

Senator Gardner moved the following amendments which were adopted:

Amendment 1—On page 4, strike all of lines 1-10 and insert:

(3)(a) Enter into an interlocal agreement with any municipality within the county under which agreement persons who reside or are located in such municipality must use such comprehensive stormwater management system for stormwater management; and

(b) Require persons who reside or are located in unincorporated areas of the county to use such comprehensive stormwater management system.

Amendment 2—In title, on page 1, strike all of lines 14 and 15 and insert: persons in unincorporated areas to use such system; authorizing the county to enter into interlocal agreements with municipalities under which persons in such municipalities must use such system; authorizing the governing body of the

SB 2370

The Committee on Community Affairs recommended the following amendments which were moved by Senator Weinstock and adopted:

Amendment 1—On page 1, line 16, strike "88-468" and insert: 88-460

Amendment 2—On page 1, line 30, strike "II" and insert: III

SB 2374

Senator Grant moved the following amendment which failed:

Amendment 1—On page 4, line 28, after "hire" insert: *and contracted for use by, through, or for any unit of local or state government, and not authorized to transport passengers for hire,*

AMENDMENTS TO HOUSE BILLS

HB 2347

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 36, strike all of lines 11-22 and renumber subsequent sections.

Amendment 2—In title, on page 1, line 17, strike "553.902(1)(d),"

HB 2359

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 78, strike all of lines 16-28 and renumber subsequent sections.

Amendment 2—In title, on page 1, line 29, strike "376.307(3)(a),"

Amendment 3—On page 89, lines 27-31, and on page 90, lines 1-16, strike all of said lines and renumber subsequent sections.

Amendment 4—In title, on page 2, line 2, strike "403.061(29),"

HB 2361

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 1, lines 12-31, and on page 2, lines 1-3, strike all of said lines and renumber subsequent sections.

Amendment 2—In title, on page 1, line 3, strike "ss. 378.406(1)(b) and" and insert: s.

Amendment 3—On page 2, strike all of lines 25-31

Amendment 4—In title, on page 1, lines 4 and 5, strike "and repealing s. 377.2409(2), Florida Statutes,"

HB 2363

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 19, lines 7-31, and on page 20, lines 1-15, strike all of said lines and renumber subsequent sections.

Amendment 2—In title, on page 1, line 9, strike "695.20,"

HB 2365

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 4, strike all of lines 11-21 and renumber subsequent sections.

Amendment 2—In title, on page 1, line 5, strike "337.241(2), (3),"

Amendment 3—On page 7, strike all of lines 9-19

Amendment 4—In title, on page 1, lines 8 and 9, strike "and s. 212.08(7)(w), Florida Statutes (1990 Supplement),"

HB 2367

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 12, strike all of lines 1-15 and renumber subsequent sections.

Amendment 2—In title, on page 1, line 7, strike "210.15(8),"

Amendment 3—On page 155, lines 28-31, and on page 156, lines 1-21, strike all of said lines and renumber subsequent sections.

Amendment 4—In title, on page 3, line 12, strike "403.413(5)(b),"

HB 2369

Senator Childers moved the following amendments which were adopted:

Amendment 1—On page 22, strike all of lines 8-22 and renumber subsequent sections.

Amendment 2—In title, on page 2, line 12, strike "282.502,"

Amendment 3—On page 25, strike all of lines 15-26 and renumber subsequent sections.

Amendment 4—In title, on page 2, line 9, strike "766.107,"

ROLL CALLS ON SENATE BILLS

CS for SB's 58 and 2294

Yeas—32

Madam President	Diaz-Balart	Jennings	Souto
Bankhead	Dudley	Johnson	Thomas
Bruner	Forman	Kurth	Thurman
Casas	Gardner	Langley	Walker
Childers	Girardeau	Malchon	Weinstein
Crenshaw	Grant	Meek	Weinstock
Crotty	Grizzle	Plummer	Wexler
Davis	Jenne	Scott	Yancey

Nays—5

Beard	Kiser	Myers
Gordon	McKay	

Vote after roll call:

Nay to Yea—McKay

CS for SB 2126

Yeas—36

Madam President	Dudley	Johnson	Plummer
Beard	Forman	Kirkpatrick	Souto
Bruner	Gardner	Kiser	Thomas
Casas	Girardeau	Kurth	Thurman
Childers	Gordon	Langley	Walker
Crenshaw	Grant	Malchon	Weinstein
Crotty	Grizzle	McKay	Weinstock
Davis	Jenne	Meek	Wexler
Diaz-Balart	Jennings	Myers	Yancey

Nays—None

ROLL CALLS ON HOUSE BILLS

CS for HB 203

Yeas—31

Beard	Gardner	Kiser	Thomas
Bruner	Girardeau	Kurth	Thurman
Childers	Grant	Langley	Walker
Crotty	Grizzle	Malchon	Weinstein
Davis	Jenne	McKay	Weinstock
Diaz-Balart	Jennings	Myers	Wexler
Dudley	Johnson	Plummer	Yancey
Forman	Kirkpatrick	Souto	

Nays—None

Vote after roll call:

Yea—Bankhead

HB 2345

Yeas—33

Madam President	Forman	Kirkpatrick	Thomas
Bankhead	Gardner	Kiser	Thurman
Beard	Girardeau	Kurth	Walker
Bruner	Gordon	Langley	Weinstein
Childers	Grant	Malchon	Wexler
Crotty	Grizzle	McKay	Yancey
Davis	Jenne	Myers	
Diaz-Balart	Jennings	Plummer	
Dudley	Johnson	Souto	

Nays—None

Vote after roll call:

Yea—Scott

HB 2347

Yeas—35

Madam President	Forman	Kirkpatrick	Souto
Bankhead	Gardner	Kiser	Thomas
Beard	Girardeau	Kurth	Thurman
Bruner	Gordon	Langley	Walker
Childers	Grant	Malchon	Weinstein
Crotty	Grizzle	McKay	Weinstock
Davis	Jenne	Meek	Wexler
Diaz-Balart	Jennings	Myers	Yancey
Dudley	Johnson	Plummer	

Nays—None

Vote after roll call:

Yea—Scott

HB 2349

Yeas—33

Madam President	Forman	Kirkpatrick	Thomas
Bankhead	Gardner	Kiser	Thurman
Beard	Girardeau	Kurth	Walker
Bruner	Gordon	Langley	Weinstock
Childers	Grant	Malchon	Wexler
Crotty	Grizzle	McKay	Yancey
Davis	Jenne	Meek	
Diaz-Balart	Jennings	Myers	
Dudley	Johnson	Souto	

Nays—None

Vote after roll call:

Yea—Plummer, Scott, Weinstein

HB 2351

Yeas—37

Madam President	Forman	Kiser	Thomas
Bankhead	Gardner	Kurth	Thurman
Beard	Girardeau	Langley	Walker
Bruner	Gordon	Malchon	Weinstein
Casas	Grant	McKay	Weinstock
Childers	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	
Diaz-Balart	Johnson	Scott	
Dudley	Kirkpatrick	Souto	

Nays—None

HB 2353

Yeas—37

Madam President	Forman	Kiser	Thomas
Bankhead	Gardner	Kurth	Thurman
Beard	Girardeau	Langley	Walker
Bruner	Gordon	Malchon	Weinstein
Casas	Grant	McKay	Weinstock
Childers	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	
Diaz-Balart	Johnson	Scott	
Dudley	Kirkpatrick	Souto	

Nays—None

HB 2355

Yeas—37

Madam President	Childers	Forman	Grizzle
Bankhead	Crotty	Gardner	Jenne
Beard	Davis	Girardeau	Jennings
Bruner	Diaz-Balart	Gordon	Johnson
Casas	Dudley	Grant	Kirkpatrick

Kiser	Meek	Thomas	Wexler
Kurth	Myers	Thurman	Yancey
Langley	Plummer	Walker	
Malchon	Scott	Weinstein	
McKay	Souto	Weinstock	

Nays—None

HB 2357

Yeas—37

Madam President	Forman	Kiser	Thomas
Bankhead	Gardner	Kurth	Thurman
Beard	Girardeau	Langley	Walker
Bruner	Gordon	Malchon	Weinstein
Casas	Grant	McKay	Weinstock
Childers	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	
Diaz-Balart	Johnson	Scott	
Dudley	Kirkpatrick	Souto	

Nays—None

HB 2359

Yeas—36

Madam President	Dudley	Kirkpatrick	Scott
Bankhead	Forman	Kiser	Souto
Beard	Gardner	Kurth	Thomas
Bruner	Gordon	Langley	Thurman
Casas	Grant	Malchon	Walker
Childers	Grizzle	McKay	Weinstein
Crotty	Jenne	Meek	Weinstock
Davis	Jennings	Myers	Wexler
Diaz-Balart	Johnson	Plummer	Yancey

Nays—None

HB 2361

Yeas—36

Madam President	Dudley	Kirkpatrick	Scott
Bankhead	Forman	Kiser	Souto
Beard	Gardner	Kurth	Thomas
Bruner	Gordon	Langley	Thurman
Casas	Grant	Malchon	Walker
Childers	Grizzle	McKay	Weinstein
Crotty	Jenne	Meek	Weinstock
Davis	Jennings	Myers	Wexler
Diaz-Balart	Johnson	Plummer	Yancey

Nays—None

HB 2363

Yeas—33

Madam President	Dudley	Kiser	Souto
Bankhead	Forman	Kurth	Thomas
Beard	Gardner	Langley	Thurman
Bruner	Gordon	Malchon	Walker
Casas	Grant	McKay	Weinstein
Childers	Grizzle	Meek	Yancey
Crotty	Jennings	Myers	
Davis	Johnson	Plummer	
Diaz-Balart	Kirkpatrick	Scott	

Nays—None

HB 2365

Yeas—34

Madam President	Childers	Forman	Grizzle
Bankhead	Crotty	Gardner	Jennings
Beard	Davis	Girardeau	Johnson
Bruner	Diaz-Balart	Gordon	Kirkpatrick
Casas	Dudley	Grant	Kiser

Kurth
Langley
Malchon
McKay

Meek
Myers
Plummer
Scott

Souto
Thomas
Thurman
Walker

Weinstein
Yancey

Girardeau
Gordon
Grant
Grizzle
Jenne
Jennings

Kirkpatrick
Kiser
Kurth
Langley
Malchon
McKay

Meek
Myers
Plummer
Scott
Souto
Thomas

Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

HB 2367

Yeas—36

Madam President
Bankhead
Beard
Bruner
Casas
Childers
Crotty
Davis
Diaz-Balart

Dudley
Forman
Gardner
Girardeau
Gordon
Grant
Grizzle
Jennings
Johnson

Kirkpatrick
Kiser
Kurth
Langley
Malchon
McKay
Meek
Myers
Plummer

Scott
Souto
Thomas
Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

HB 2369

Yeas—37

Madam President
Bankhead
Beard
Bruner
Casas
Childers
Crotty
Davis
Diaz-Balart
Dudley

Forman
Gardner
Girardeau
Gordon
Grant
Grizzle
Jenne
Jennings
Johnson
Kirkpatrick

Kiser
Kurth
Langley
Malchon
McKay
Meek
Myers
Plummer
Scott
Souto

Thomas
Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

HB 2371

Yeas—37

Madam President
Bankhead
Beard
Bruner
Casas
Childers
Crotty
Davis
Diaz-Balart
Dudley

Forman
Gardner
Girardeau
Gordon
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Kiser
Kurth
Langley
Malchon
McKay
Meek
Myers
Plummer
Scott
Souto

Thomas
Thurman
Walker
Weinstein
Weinstock
Wexler
Yancey

Nays—None

ROLL CALL ON LOCAL BILLS

The following roll call was taken on Senate Bills 738, 894, 1048, 1050, 1092, 1094, 1166, 1274, 1344, 1380, 1710, 1712, 2370, 2372, 2384, 2386, 2390, 2392, 2394, 2396, 2404, 2414, 2420, 2440, 2448, 2450 and 2452; House Bills 1255, 1521, 1669 and 1687 which passed this day:

Yeas—36

Madam President
Bankhead
Beard

Bruner
Casas
Childers

Crenshaw
Crotty
Diaz-Balart

Dudley
Forman
Gardner

Nays—None

Senator Grizzle voted nay on SB 1092.

EXPLANATION OF VOTE ON SB 2384

This is to advise that from time to time the law firm of Atkinson, Jenne, Diner, Stone, Cohen & Klausner, of which I am a partner, has represented the Port Everglades Authority as special counsel.

I hereby request that this statement be included in the public record of the Florida Senate in regard to my vote on SB 2384, a local bill relating to Port Everglades District.

Kenneth C. Jenne, 30th District

EXPLANATION OF VOTE ON SB 2404

While I am uncertain there is any conflict, in an abundance of caution I want to disclose that on occasion partners or associates in my law firm have represented a private foundation associated with the North Broward Hospital District and the North Broward Hospital District itself.

James A. Scott, 31st District

SB 2374

Yeas—34

Madam President
Bankhead
Beard
Bruner
Casas
Childers
Crenshaw
Crotty
Davis

Diaz-Balart
Dudley
Forman
Gardner
Girardeau
Gordon
Grant
Grizzle
Jennings

Johnson
Kirkpatrick
Kiser
Kurth
Langley
Malchon
McKay
Meek
Plummer

Souto
Thomas
Thurman
Walker
Weinstock
Wexler
Yancey

Nays—None

Vote after roll call:

Yea—Jenne, Weinstein

ENROLLING REPORTS

Senate Bills 232, 462 and CS for SB 828 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 11, 1991.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 10 was corrected and approved.

RECESS

Senator Thomas moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, April 16, at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Thomas, the Senate recessed at 11:38 a.m. to reconvene at 9:00 a.m., Tuesday, April 16, or upon call of the President.